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NOTES ON ROLL 12

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The first volume contains the minutes of the Court from April 10, 1876, to January 15, 1877; the second, from January 15 to November 12, 1877; and the third, from November 12, 1877, to April 22, 1878.

VOLUME

35

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel.

On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Hunt.

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183 Henry Meyer and George K. Meyer vs. Chester A. Arthur, Collector of the Port of New York. Pffs in Error

In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of

New York, and was argued by counsel.

On consideration whereof it is now here ordered and adjudged by this Court that the judgement of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Pres. Mr. Justice Bradley.

The Board of Liquidation of the State of Louisiana, M. F. Kellogg et al Members of said Board & the Louisiana Levee Co. Appellants
vs.
Henry S. McComb.

Appeal from the Circuit Court of the United States for the District of Louisiana.

609

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel.

On consideration whereof it is now here ordered, adjudged and decreed

by this court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed, so far as it prohibits the funding of the debt due to the Louisiana Levee Company in the consolidated bonds issued or to be issued under the funding act of January 24th 1874; and reversed as to so much thereof as prohibits the issue of any other bonds to the Louisiana Levee Company in liquidation of its debt. Costs to be paid by appellants.

And that this cause be and the same is hereby remanded to said Circuit Court.

per Mr. Justice Bradley.

Mr. Justice Field did not sit in this case and took no part in the decision.

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113 The Town of Concord vs. The Portsmouth Savings Bank. | In Error to the Circuit Court of the

United States
for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, And that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Strong.

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532 The County of Moultrie vs. Piffin et al. Error to the Rockingham Deposit Savings Bank. In error to the Circuit Court of the United States for the

Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by Counsel. On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Justice Strong.

Dissenting
Mr. Justice Miller
" " Davis
" " Field

513 Joshua Converse
vs. Pfff in Error.
The City of Fort Scott.

In error to the Circuit Court of the United States

for the District of Kansas.

This cause came on to be heard on the transcripts of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Strong.

Enoch Potter Admr. of William B. Lloyd deceased. Appellant
vs
The United States

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from

the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause be and the same is hereby affirmed.

per Mr. Justice Field.

The United States		Appeal from
177 vs.	Appellant	the Court of
John Sanders.		Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause be and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition. per Mr. Jus. Field.

The Leavenworth Lawrence & Galveston Railroad Co. Appellant.
vs.
The United States.

Appeal from the Circuit Court of the United States for the District of Kansas.

1401

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed

per Mr. Justice Davis

Dissenting
Mr. Justice Field
" " Swayne
" " Strong

The Missouri, Kansas & Texas Railway Company. Appellant
471 vs.
The United States.

Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr. Justice Davis.

Dissenting
Mr. Justice Field
" " Swayne
" " Strong.

The Piedmont & Arlington Life Insurance Company
165 vs. Plff in Error
Ashley W. Ewing, Admr. of the Estate of John F. Howes dec'd

In error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the western district of Missouri, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to said Circuit Court with directions to award a new trial.

Per Mr. Justice Miller.

Harvey Ferry
194 vs Appellant
The Commercial Bank
of Alabama-

Appeal from the
Circuit Court
of the United
States for the
Southern District
of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby remanded to the said Circuit Court, with directions to modify the decree entered in this cause by the District Court of the United States for the Middle District of Alabama, in conformity with the opinion of this Court, and as so modified it is hereby affirmed. Costs to be paid by the Appellee.

per Mr. Justice Miller.

Warren Hall		Appeal from
175 vs.	Appellant	the Court of
The United States.		Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed.

per Mr. Justice Swayne.

The United States		Appeal
182 vs.	Appellant	from the
Margaret Roach. Exx of Benj. Roach, decd		Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here

ordered and adjudged by this court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed.

per Mr. Justice Swayne.

Jilson P. Harrison
174 Vs. Plff in Error.
Esther B. Meyer, widow & testamentary Executrix of M. M. Miller, deceased.

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this court, that the judgment of the said Supreme Court, in this cause be and the same is hereby affirmed with costs

per Mr Justice Clifford

181

The Steamship City of Washington, her tackle &c, The Liverpool, New York, and Philadelphia Steamship Company. - Claimants. vs. Appellants
Peter R. Baillie, Wm H. McGee, John Hobbs, Thomas Aitken, Frederick V. Bondier, Mary A. Clark, Wm A. Griffiths, John Mahoney, John Francis, Jeremiah Carney, Michael Neiland, Luther R. Murphy, and Fred C. Robinson.

Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the

said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that decrees bear in the Courts of the State of New York

Per Mr. Justice Clifford

Joseph Hobson and José M. Hurtado, Plffs in Error
vs.
Daniel W. Lord,

189

In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be and

the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of New York.

Per Mr. Justice Clifford.

Marinda V. Cochran and Annie G. Cochran widows and heirs at law of Robert Cochran
153 vs Appellants
Henry A. Clarke, Richard H. Clarke, A. Austin Smith, Asbury Lloyd and Daniel B. Clarke

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on the motion of counsel for the appellees to dismiss, which was argued by counsel. On consideration whereof

it is now here ordered adjudged and decreed by this court that this appeal be and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

Daniel Hand
693 vs. Plff in Error
Thomas C. Dunn
Compt'r Genl, &c.

On consideration of the motion to advance this cause and assign a day for argument, and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the court that said motion be and the same is, hereby denied.

per Mr. Chief Justice Waite.

Erasmus D. Force
738 vs Plff in Error,
Wm N. McVeigh

On consideration of the motion to dismiss or advance this cause, and of the arguments of counsel thereupon

had, as well in support of, as against the same, it is now here ordered by the Court that said motion be and the same is hereby denied.

per Mr. Chief Justice Waite.

The Chief announced, that no case will be called for argument after the 28th instant, and that the Court will adjourn for the term on Monday the 8th of May.

Henry Gaultz and
Thomas R. Appleman
806 vs Plffs in Error
James Kennedy.

In error
to the
Supreme Court
of the District
of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on motion of Mr. M. Blair, of counsel for the plaintiffs in error, it is now here ordered and

adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

The State of Wisconsin
6 Orig. vs Complainant.
The City of Duluth, and
The Northern Pacific Rail road Company.

On motion of Mr. H. E. Paine in behalf of Mr. J. C. Sloan of counsel for the complainant.

it is ordered the parties complainant and defendants have leave to take testimony upon the issues made, before any officer in the District of Columbia authorized by law to take depositions to be used before the Circuit Courts of the United States according to law and the rules and practice of the Courts of Equity of the United States upon giving 30 days notice to the opposite party and that when the testimony is taken it is to be transmitted by the officer taking the same to the Clerk of this Court to be by him filed.

Proclamation being made the Court, is adjourned until tomorrow at, twelve o'clock.

Tuesday April 11th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller, Associate
David Davis, Justices
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay, Esqur., Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Smith, it is ordered that Daniel C. Linscott, Esquire, of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this

Court, and he was sworn accordingly

On motion first made to the Court, in this behalf by Mr. A. J. Vanderpool it is ordered that Granville P. Hawes, and Michael H. Cardozo Esquires of, New York City be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon. Matt. H. Carpenter it is ordered that George W. Park, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Ebenezer Orphan Institute of the Evangelical Association.

952 vs. Appellants

Jesse Yount, Matilda Yount, William Hendricks, Amanda

Mr. M. H. Carpenter having filed and read in open court the following certificate

Hendricks, Thomas
B. Newlon, Angeline
Newlon and
Alfred Griffith

to wit:

"In the Circuit Court of the United States for the Southern District of Illinois-

Wednesday July 26th A.D. 1876.

Present. Honorable Samuel H. Treat.
District Judge.

Jesse Yount, Matilda
Yount, Mrs Hendricks
Amanda Hendricks.
Thomas P. Newlon.
Angeline Newlon
and Alfred Griffith
Vs.
The Ebenezer Orphan
Institute of the
Evangelical Association

In Chancery.

And now comes the said complainants by their solicitor

and the said defendant having failed to put in a full and complete answer to the said Bill of Complaint, as to the matters in the exceptions to the said defendants answer herein heretofore taken by the complainants and allowed by the Court within the time limited by this Court, therefor It is ordered by the Court that the said Bill of the said Complainants as to the matters of exception taken and allowed to be taken as by the said defendant confessed and it is also further ordered ~~xxxx~~ adjudged and decreed that the said deed made by the said Stephen Griffith to the said defendant and in said bill of complaint mentioned be and the same is hereby declared to be null void and of non effect, and that the said defendant as to the said lands take nothing thereby, and that said defendant be perpetually restrained and enjoined from claiming title to the said lands

in said deed mentioned under said deed, and further that the marshal, if need be, put complainant in possession of the same: and that the said complainant have and receive of the said defendants their costs and charges in this behalf, expended. And it is made to appear to the Court, that the value of the property in question in this case is more than five thousand dollars.

Whereupon defendant prays an appeal to the Supreme Court of the United States which is allowed on its entering into bond to complainants within sixty days in the penalty of One thousand dollars, conditioned as the law directs.

United States of America
Southern District of Illinois } ss.

I, J. A. Jones, Clerk of the Circuit Court of the United States, in and for the Southern District of Illinois, do hereby certify the foregoing to be a true and correct copy of the final decree

including, order allowing appeal entered in a certain cause wherein Jesse Yount, Matilda Yount, William Hendricks, Amanda Hendricks, Thomas B. Newlon, Angeline Newlon and Alfred Griffith, are complainants, and the Ebenezer Orphan Institute of the Evangelical Association is defendant, as the same appears of record in my said Office.

In witness whereof, I have hereunto, set my hand, and seal of said Court at Springfield in said District this Sixth day of April in the year of Our Lord one thousand eight hundred and seventy six and of our Independence the One hundredth year

Seal

J. A. Jones. Clerk

And having stated that the appellant had altogether failed to file the record of said cause in this Court, or in any way to prosecute its appeal- now here moved the Court in pursuance of the 9th rule of

of this court to have this appeal docketed and dismissed. On consideration of which it is now here ordered adjudged and decreed by this court that this appeal from the Circuit Court of the United States for the Southern District of Illinois be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr Chief Justice Waite.

The United States
321 vs. Appellants
Mary S Habersham
Extrx of Robert Habersham.

On motion of Mr C. F. Peck it is now here ordered by the court that leave be and the same is hereby granted the Clerk to issue the mandate in this cause.

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907 The United States Appts vs. Col C. Ross
905 " " " " J. Raymond.
911 " " " " Thomas Kidd
912 " " " " J. J. Cowan.
913 " " " " J. B. Bradston
914 " " " " Charlotte Spear
916½ " " " " E. K. McLean.
916 " " " " J. Reese Coote
917 " " " " E. L. Batchelor
915 " " " " Geo. Hawking.
919 " " " " J. J. Cowan.
921 " " " " R. G. Johnson.
922 " " " " Wm F. Smith.
923 " " " " R. M. Douglass et al
924 " " " " Hannah Bodenheim Exr

On motion of Mr Solicitor General Phillips it is ordered that these cases be re-assigned for argument on Monday the 24th instant.

Selucius Garfielde
937 vs Appellants
The United States

On motion of Mr Asst Attorney Genl Smith it is

ordered that this cause be advanced provided the same be submitted on printed arguments.

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198 Gains Whitfield vs. The United States, Appellant

The argument of this cause was continued by Mr. Solicitor General Phillips of Counsel for the appellee and concluded by Mr. P. Phillips for the appellant.

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205 Andrew H. Hammond dcd, vs. The Mason & Hammond Organ Company, Appellants.

Ordered by the Court, that this cause be, and the same is hereby passed for the present.

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206 The Brig Belle, her tackle &c Joseph W. Yates, Claimant, Appellant, vs. The Pacific Mutual Ins. Co.

Appeal from the Circuit Court of the United States for the

Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York: and it appearing to the Court that the matters in controversy in this cause have been agreed and settled between the parties it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

Hiram Barney, Coll'r &c
207 vs. Piff in Error
William Watson Et al

This cause was argued by Mr. Asst. Atty. Genl. Smith of Counsel for the plaintiff in error and by Mr. J. H. Ashton for the defendants in error.

James O'Brien
208 vs. Pffin Error
Geo. M. Weldy et al.

This cause was argued by Mr. A. J. Vanderpool of Counsel for the plaintiff in error and by Mr. Granville P. Hawes for the defendant, in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday April 12th 1876.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
Associate Justices

John G. Nicolay Esquire, Marshal
Daniel Wesby Middleton, Clerk

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr. C. Phillips it is ordered that George A. Sawyer, Esquire, of San Francisco State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Wm M. Evarts, it is ordered that Howard B. Lindy, Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. T. D. Lincoln it is ordered that Charles A. Korbly Esquire of Madison State of Indiana be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

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209 Benjamin F. Butler vs. Piff in Error N. N. & Wm Thomson

This cause was argued by Mr. Wm M. Evarts of counsel for the plaintiff in error and by Mr. E. H. Owen for the defendants in error.

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128 (Wm Burdell chal. vs. Piffs in Error Augustus Denig chal.

(assigned) This cause was argued by

Mr. Wm Lawrence of counsel for the plaintiff in error and by Mr. George Gifford for the defendant in error.

Thomas Sherlock et al Plffs in error
vs
Charles Alling Admr &c Defts in error

(substituted for No. 190.) The argument of this cause was commenced by Mr. J. D. Lincoln of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve oclock.-

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Thursday April 13th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller Associate
David Davis Justices
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. R. Steele, it is ordered that Edward C. Kehr Esquire of St Louis, State of Missouri be admitted to practice as an attorney and counsellor of this Court and he may sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. D. Lincoln it is ordered that William G. Wilson Esqr. of La Fayette, State of Indiana be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Thomas Sherlock et al
312 vs Plffs in error.
Charles Alling, Admr &c

The argument of this cause was continued by Mr. S. D. Lincoln of Counsel for the plaintiffs in error and by Mr. C. N. Hoxby of counsel for the defendant in error, and concluded by Mr. Lincoln for the plaintiffs in error.

Charles R. Lyng et al
78 vs. Plffs in Error.
Moses H. Grinnell

This cause was argued by Mr. Asst. Atty. Genl. Smith of counsel for the defendant in error and submitted on printed argument by Mr. C. Donohue for the plaintiffs in error.

Edward Hartley Wilson et al
Exrs of John Wilson, decd
910 vs Appellants
The Cairo & Fulton R.R Co

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. W. M. Rose of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday April 17th 1876

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
Associate Justices

John C. Nicolay, Esquire, Marshal
Daniel Kelley Middleton, Clerk.

Proclamation being made the Court is opened.

James R. Pace
170 vs. Plff in Error.
Rush Burgess
Collector of Internal
Revenue.

On error to the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Bradley.

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184 John Montgomery jr. assignee of Stewart Porter and Company. vs. W. Piffin in Error. The Bucyrus Machine Works.

In error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri and was argued by counsel. On consideration whereof it is now here ordered and

adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Davis.

Henry B. Miller Coll.
of Cook County et al.
701 Vs. Appellants.
Morris K. Jessup, John
Paton, D. A. Lindley and
E. K. Goodnow.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby

reversed with costs.- and that this cause be and the same is hereby remanded to the said Circuit Court with directions to dissolve the injunction and dismiss the bill.

per Mr. Justice Miller.

Isaac Taylor, Collector of Peoria County, et al.
702 vs. Appellants
James F. Secor and William Tracy.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this

cause be and the same is hereby remanded to the said Circuit Court with directions to dissolve the injunction and dismiss the bill.

per Mr Justice Miller.

Hermann Lieb and Henry B Miller Collector of Cook County et al	Appeal from the Circuit Court of the United States for the Northern District of Illinois.
703 vs Appellants	
Henry P. Kidder and Daniel A. Stone.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs- and that this cause be and

the same is hereby remanded to the said Circuit Court with directions to dissolve the injunction and dismiss the bill.

per Mr. Justice Miller.

Robert A. Phillips
186 vs. Pfff in Error
Charles W. Payne.

In error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Swayne.

Sarah Chaney Savage
Executrix of Wm. L. Savage, dec'd.
196 vs Appellant
The United States

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed

per Mr. Justice Clifford.

G. DeRosset Lamar, Executor of Gazaway B. Lamar, deceased.
vs.
Albert G. Browne, Albert G. Browne, jr., Special Agents U. S. Treasury Department & William A. Beard

Pltff in Error

In Error to the Circuit Court of the United States for the District of Massachusetts.

151

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel.

On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite

Edward Hartley Wilson &
Samuel V. Niles, Executors
of John Wilson deceased
William Bailhache
210. vs. Appellants
The Cairo and Fulton
Railroad Company

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this court that the decree of the said Circuit Court in this cause

be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Arkansas.

per Mr. Chief Justice Waite.

The United States, Appellant. vs Alexander Callie. 317

Upon reading and filing the petition of John Young, Trustee of the property of Alexander Callie, a Bankrupt, and the consent of Messrs. Denver & Peck, the attorneys and Counsel of said Alexander Callie, that said motion be granted, and upon hearing the Attorney General of the United States, appearing in behalf of the appellant, upon due notice, and insisting that upon substitution of said John Young, Trustee &c, according to the prayer of the petition he should give security for costs, now on motion of Mr. Evarts of Counsel for the petitioner it is ordered that the prayer of said petition be granted and that said John Young Trustee of the property

of Alexander Collie, a Bankrupt, be and he hereby is, substituted as the claimant and respondent in this cause in the place and stead of the said Alexander Collie, without prejudice to the proceedings heretofore had therein, and that all proceedings hereafter had or taken therein or under said judgment of the Court of Claims in said petition mentioned shall be had or taken in the name of said John Young Trustee &c, as aforesaid. And it is further ordered upon said substitution the said John Young, Trustee &c, give security for cost herein to the satisfaction of the Clerk of this Court.

per Mr. Chief Justice Waite.

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902 The State. - The Morris & Essex Railroad Co. v. Pliff in Error. Jas. S. Yard. Counsel &c.

Mr. Gilchrist moved the Court to advance this cause and assign a day for argument. Whereupon the Court not being now here sufficiently advised of and concerning what order to render

in the premises took time to consider.

Charles D. Maxwell.
137 vs. Pltff in Errd.
The District of Columbia

On motion of Mr. Sands leave is hereby granted the Clerk to issue the mandate in this cause.

Harvey Terry
234 vs. Appellant
The Bank of Commerce.

Mr. Williams suggested a diminution of the record and moved the Court for a writ of certiorari in this cause. Whereupon it is now here ordered by the Court that said motion be and the same is hereby denied.

Michael McClay etal
900 vs. Pltffs in Errd.
Joseph S. Friedman

The motion to dismiss this cause was submitted to the consideration of the Court on printed argument by Mr. A. A. Sargent in support of the same with leave to counsel for plaintiffs in error to

file brief in opposition to the motion

838 The County of Schuyler vs. Appellant The Union Trust Company of New York

Mr. Peck suggested a diminution of the record in this cause, and submitted to the consideration of the Court, motion for certiorari, Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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401 The Leavenworth, Lawrence & Galveston R. R. Co. vs. Appellant The United States

471 The Missouri, Kansas & Texas Railway Company vs. Appellant The United States

Mr. P. Phillips submitted to the consideration of the Court, motion to modify the decrees entered in these causes, Whereupon this Court not being now here sufficiently advised of and concerning what

order to render in the premises took time to consider.

Peyton Grimes
13 vs. Appellant.
Dallas Sanders Admr.
of Gad Reppliey dec'd et al

Mr. E. S. Stanton suggested a diminution of the record in this cause and submitted to the consideration of the court a motion for certiorari; Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Thomas P. Leathers
vs. Appellants
The Saloon Wrecking
& Transportation Comp'y

Mr. J. A. Grow presented the certificate of the Clerk and moved the Court under the 9th rule to hear this appeal from the Circuit Court of the United States for the Southern District of Mississippi, docketed and dismissed Whereupon this court not being now

here sufficiently advised of and concerning what order to render in the premises took time to consider.

The County of Pickens
vs Pfffin Error
The Richmond & Danville
Railroad Company
(and)
The County of Pickens
vs Pfffin Error
The Bank of Commerce
of Richmond, Virginia.

Mr. Lowndes submitted to the consideration of the Court, motion to dismiss the writs of error in these cases for want of jurisdiction; whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Frederick Robert et al
vs Appellants
The Propeller Galatea &c

The argument of this cause was commenced by Mr. R. D. Benedict of counsel for the appellants.

Monday April 14th 1876. Continued

Proclamation being made the Court is adjourned until tomorrow at five o'clock

Tuesday April 18th 1876.

Pursuant to adjournment the court met today at the Capital.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. T. L. Tork it is ordered that George S. Eldridge, Esquire of Ottawa, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. A. H. Jackson it is ordered that E. St Julian Cox Esquire of St. Peter State of Minnesota, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

Frederick Robert et al
911 vs Appellants
The Propeller Galatea &c

The argument of this cause was continued by Mr. R. D. Benedict of Counsel for the appellants by Mr. W. M. Evarts of counsel for the appellees and concluded by Mr. Benedict for the appellants.

Jacob Magee et al
195 vs. Plffs in Error
The Manhatlan Life Insurance Company

(In pursuance to 212) The argument of this cause was commenced by Mr. P. Phillips of counsel of counsel for the plaintiffs in error and continued by Mr. J. D. McPherson of Counsil for the defendant

in error and concluded by Mr. Phillips for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Wednesday April 19th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay, Esquire, Marshal
Daniel Kelley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Albert Ritchie it is ordered that Spotswood Garland Esquire, of Baltimore, State of Maryland be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

213 The New York Life Insurance Company vs. Pltff in Error. Henrietta Henderson.

This cause was argued by Mr. E. C. Kinsley of counsel for the plaintiff in error and by Mr. Albert Ritchie for the defendant in error.

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215 Joseph Reckendorfer vs. Appellant Eberhard Faber.

On motion of Mr. Blake one hour additional time is hereby allowed counsel on each side in the argument of this cause

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215 Joseph Reckendorfer vs. Appellant Eberhard Faber.

The argument of this cause was commenced by Mr. Ed. Wetmore of counsel for the appellant.

Proclamation being made the court is adjourned until tomorrow at twelve o'clock

Thursday April 20th

Pursuant to adjournment
today at the Capitol.

Present

The Honorable Morrison R. Waite

Nathan Clifford

Noah H. Swayne

Samuel F. Miller

David Davis

Stephen J. Field

William Strong

Joseph P. Bradley

Ward Hunt

John G. Stanbery, Esquire, M

Daniel Wesley Middleto

Proclamation being made the

Joseph P. Reckendorfer)
215 vs. Appellant
Eberhard Faber)

Motion of Counsel for the
by Mr. John S. Washburn, a
Gifford for the appellee.

1876.

Thursday April 20th 18

The Court met

Chief Justice.

Associate
Justices

Marshal.
n, Clerk

Court is opened

The argument
of this cause
was continued
by Mr. Edward
appellants and
ed Mr. George

Proclamation being made the C
until tomorrow at twelve oclock

Friday April 21st 1876

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire, Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Matt H. Carpenter it is ordered that James Mason Esquire of Cleveland, State of Ohio, and J. W. Gordon Esquire, of Indianapolis, State of Indiana, be admitted to practice as attorneys and counsellors of this Court,

and they were sworn accordingly.

The Delaware, Lackawanna
& Western Railroad Company
115 vs. Plff in Error.
Joseph Warren, Assignee &c

The Delaware, Lackawanna
& Western Railroad Compy
116 vs. Appellant.
Joseph Warren, Assignee &c

The National City Bank
of New York
117 vs Plff in Error.
Joseph Warren, Assignee &c

On motion of Mr. Frelinghuysen leave is hereby granted the Clerk to issue the mandates in these cases.

Omer L. Rosenkrans
879 vs Plff in Error
The American Button Hole
Overseaming and Sewing
Machine Company.

In error to the Circuit Court of the United States for the Eastern District of Wisconsin

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and on the stipulation of counsel on file, and motion of Mr. M. H. Carpenter, it is now here ordered and adjudged by this Court, that the writ of error in this cause be and the same is hereby dismissed, Each party paying their own costs.

Per Mr. Chief Justice Waite.

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215 Joseph Reckendorfer vs Eberhard Faber. Appellant.

The argument of the cause was concluded by Mr. C. F. Blake of counsel for the appellant.

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205 Andrew H. Hammond et al vs The Mason & Hamlin Organ Company. Appellants.

(assigned) This cause was argued by Mr. B. C. Valentine of counsel for the appellants and by Mr. A. D. Betts of counsel for the appellee. Leave granted Mr. Valentine to file reply brief tomorrow.)

James P. Carroll et al
vs. Appellants.
Joshua & Thomas Green.

The argument of this cause was commenced by Mr. W. W. Boyce of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday April 24th 1876.

Pursuant to adjournment the Court
met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire, Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Court is
opened

On motion first made to the Court in
this behalf by Mr. S. U. Pinney it is
ordered that N. R. Graham Esquire of
Chicago State of Illinois be admitted
to practice as an attorney and coun-
sellor of this Court and he was
sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Ashton it is ordered that Nunn Hanson Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

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James O'Brien		In error to
208 vs.	Pff in Error	the Supreme
George M. Weld		Court of the
Henry St. Nagle and		State of
Edwin Sherwin		New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with Costs. And that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be

had therein in conformity with the opinion of this Court.

Per Mr. Justice Hunt

Benjamin F. Butler.
Dog vs. Plff in Error.
Alexander T. Thompson
and William Thompson.

In error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a new trial

Per Mr. Justice Hunt

Henry M. Rector
616 vs. Appellant
The United States

John C. Hale
692 vs. Appellant
The United States

Appeals from the Court of Claims.

Wm K. Gaines, Maria his wife, formerly Maria Belding, Albert Belding and Henry Belding. & George Belding, Heirs at law of Ludovicus Belding, dec'd
772 vs Appellants
The United States

&

John N. Russell
893 vs. Appellants
The United States.

These causes came on to be heard, on the transcripts of the record from the Court of Claims, and were argued

by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in these cases be and the same is hereby affirmed.

Per Mr. Justice Bradley.

John Doe, ex dem.
Sidney Oaksmith,
Benjamin N. Cheever,
Annie J. Cheever,
Thomas Hughes and
Annie J. Worcester,
169 vs. Appeal in Ejectment
Horace S. Johnson

In error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court be and the

same is hereby affirmed with costs.

per Mr Justice Field.

John Garsed
136 vs Appellant
William A. Beall (Exr)
Jeremiah Beall, as
surviving co partners
of William A Beall,
Jeremiah Beall and
Thomas S. Metcalf.

Appeal
from the
Circuit
Court of
the United
States for
the Southern
District
of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Clifford

Joseph N. Walker. vs. Piff in Error. Charles S. Saunders. | In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel On consideration whereof it is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

(per Mr. Chief Justice Waite.

Dissenting
Mr. Justice Clifford
" " Field.

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193 The First National Bank of Charlotte vs. Piff in Error. The National Exchange Bank of Baltimore | In Error to the Court of Appeals of the State of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Waite

The County of Pickens, Plff in Error, vs. The Richmond & Danville Railroad Co. | In error to the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and on the motion of Mr. James Lowndes of Counsel for the defendant in error it is now here ordered

and adjudged by this court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr Chief Justice Waite.

The County of Pickens, Plff in Error,
vs.
The Bank of Commerce of Richmond, Virginia

In error to the Circuit Court of the United States for the

District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and on the motion of Mr. James Lowndes, of counsel for the defendant in error, it is now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite.

Peyton Grymes
13 v. Appellant
Dallas Sanders
Adm^r of Geo. S. Peppler
dec^d & James Lanigan

Mr. E. C. Stanton
of counsel for
the appellees
having filed
and read in
open court a

suggestion of a diminution of the record in this cause, in the words and figures following, to wit:

"That the exhibit "B" of the bill of complaint has not been made part of said record but a copy of a different map has been substituted therefor."

By reason of which omissions and errors aforesaid and the said counsel having moved the court to award a writ of certiorari to be directed to the judges of the Circuit Court of the United States for the Eastern District of Virginia commanding them that searching the record and proceedings aforesaid they forthwith certify to this court, under the seal of the said Circuit Court, whatever omissions and errors shall be found. On consideration whereof

it is now here ordered and adjudged by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States for the Eastern District of Virginia, commanding them that searching the record and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause, and return the same with the said writ of certiorari forthwith to this Court.

per Mr. Chief Justice Waite.

838 The County of Schuyler vs. The Union Trust Company of New York

Appellant.

Mr. Peck having filed and read in open Court a Suggestion of a diminution of the record in this cause in the words and figures following; to wit:

"In that it does not contain a copy of any of the proceedings orders or decrees in said cause had and made, subsequent to the decree of July 13, 1875, except the order allowing an appeal, entered Sept. 2, 1875."

"By reason of which omissions and errors aforesaid and the said Counsel having moved the Court to award a writ of Certiorari to be directed to the judges of the Circuit Court of the United States for the Northern District of Illinois, commanding them that searching the record and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found. On consideration whereof it is now here ordered and adjudged by this Court that a writ of certiorari be and the same is hereby awarded to be issued forthwith and directed to the judges of the Circuit Court of the United States for the Northern District of Illinois, commanding them that searching the record and proceedings aforesaid, they forthwith

certify to this Court, under the seal of the said Circuit Court, whatever omissions and errors shall be found in this cause, and return the same with the said writ of Certiorari forthwith to this Court.

per Mr. Chief Justice Waite.

The Leavenworth, Lawrence & Galveston Railroad Co. Appellant.
vs.
The United States.

The Missouri, Kansas & Texas Railway Co. Appellant.
vs.
The United States.

On consideration of the motion of Mr. P. Phillips to modify the decrees entered in these cases on the 10th inst. It is now here ordered by the Court that the following entry be added at the foot of each decree.

"Nothing in this decree of affirmation, nor anything in the decree of the Circuit Court, shall be construed to affect in any manner, the right of way, or what is appurtenant to it, for the

road of the appellant, through the lands which are the subject of this suit.

The Union Gold Mining Company.
(35 U.S. Rep. in Error.)
The Rocky Mountain National Bank.

The motion of the defendant in error coming on to be heard and upon reading and filing the stipulation of the parties, it is ordered that the plaintiff in error within thirty days from this date, file a bond conditioned according to law and the rules of this court with sureties to be approved by one of the judges of the United States for the Southern District of New York, and in a penal sum as required by law in order that the same may operate as a supersedeas or the supersedeas heretofore taken, be, and the same shall thereupon be set aside and held for nought.

Angelina Amory
804 vs. Appellant
Samuel B. & John
Amory Excrs &c et ab

The motion to rescind and annull the judgment of the 25th of October last docketing and dismissing this appeal and for leave to docket the cause was argued by Mr. J. M. Gillett in support of the same and by Mr. S. W. Pinney in opposition thereto Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The Steamship City of
Washington, her tackle &c
181 vs. Appellant
Peter R. Baillie et al.

On motion of Mr. P. Phillips in behalf of Scudder & Carter leave is hereby granted the clerk to issue the mandate in this cause.

The State of South Carolina
vs.
The State of Georgia et al

Mr. P. Phillips filed and submitted to the consideration

of the Court, motion for leave to file bill and for restraining order in this cause. Leave granted to file bill.

George Pursglove
951 vs Appellant
The Steamship
"Juniata"

Mr. C. W. Horner filed and submitted to the consideration of the Court motion for leave to take further testimony in this cause.

H. J. Anthony et al
Commissioners.
870 vs Appellees in Error
The Bank of Commerce
of Richmond.

The motion to dismiss this cause was submitted to the consideration of the Court, on printed arguments by Mr James Lowndes in support of the same and by Mr. W. W. Boyce in opposition thereto, Mr. Boyce also submitted motion to amend the record in this cause.

Selucius Garfielde
937 vs. Appellant
The United States

(advanced.) This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. C. Ingersoll and Mr. E. F. Rice, of counsel for the appellant, and by Mr. Assistant Attorney General Smith for the appellee.

James P. Carroll et al
216 vs. Appellants
Joshua (and) Thomas Green.

The argument of this cause was continued by Mr. James Lowndes, of counsel for the appellants and submitted on printed arguments by Mr. D. T. Corbin of counsel for the appellees.

The United States
907 vs Appellant
George W. Ross

This cause was argued by Mr. Assistant Attorney General Smith of counsel for the appellants and submitted on printed arguments by Mr. George Taylor for the appellee.

The Schuylkill Iron and Coal Company
vs Plff in error.
The Samson Mining Comp'y.
and
The Ringold Iron and Coal Co.
vs Plff in error.
The Samson Mining Comp'y.

Mr. Hunn Hanson presented the certificates of the Clerk in these cases, and moved the Court under the 9th rule that these writs of error to the Circuit Court of the United States for the Eastern District of Pennsylvania be docketed and dismissed. Whereupon this Court not being now here sufficiently advised of and concerning what order to make in the premises took time to consider.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr Amos T. Akerman, it is ordered that Henry Jackson, Esquire of Atlanta, State of Georgia be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

James E. Yeatman and
James C. Moore, assignees
of O'Fallon & Kalch bankrupts
683 vs. Plffs in Error.
Louis F. Geniéres

Mr F. J. Lippett suggested the death of Louis F. Geniéres the defendant in Error in this cause and moved the Court under the 15th rule for an order to make the proper representatives parties. On consideration whereof it is now here ordered by this court that unless the proper representatives of the said Louis F. Geniéres, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court the plaintiffs in error shall be entitled to open the record in said cause and to have the same heard and the judgment therein rendered reversed if erroneous; provided that a copy of this order shall be printed in some news-paper at the seat of government, in which the laws of the United States shall be printed by authority, for three successive

weeks, at least sixty days before the beginning of the term of the Supreme Court next ensuing.

Ordered accordingly.

For Mr. Chief Justice Waite.

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921 The United States. Appellants vs. Robert G. Johnson. Mr. P. Phillips of Counsel submitted to the consideration of the Court, motion to substitute A. F. Gardner, assignee in bankruptcy of R. G. Johnson, appellee in this cause. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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908 The United States, Appts vs. Jno B. Raymond. Adm'r &c
911 " " " " " Thomas Kidd
912 " " " " " J. J. Cowan. Adm't &c
913 " " " " " J. B. Brabston.
914 " " " " " Charlotte Spear.
915 " " " " " E. K. McLean
916 " " " " " J. Reed Cook
917 " " " " " Ellen D. Batchelor.
918 " " " " " George Hawkins

919	The United States, Appts	vs.	J. J. Cowan, Admr. &c.
921	" " " "		Robert G. Johnson.
922	" " " "		Wm F. Smith.
924	" " " "		H. Bodenheim Exor &c

The argument of these cases was commenced by Mr. Assistant Attorney General Smith of counsel for the appellants, continued by Mr. Casey of counsel for the appellees in Nos. 908. 911. 912. 913. 914. 915. 916. 918 & 919, by Mr. H. S. Foote of counsel for the appellees in in Nos. 908. 921 & 924 and concluded by Mr. Solicitor General Phillips for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Wednesday April 26th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne.
Samuel F. Miller. } Associate
David Davis } Justices.
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay, Esquire, Marshal,
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Clinton Rice it is ordered that F. B. Dalton, Esquire, of West Point State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he may sworn accordingly.

On motion first made to the Court in this behalf by Hon. E. G. Lapham it is ordered that Nathl C. Moak, of Albany, State of New York be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States
vs Appellants
Robert G. Johnson.

On consideration of the motion of Mr. P. Phillips it is now here ordered by the Court that N. F. Gardner, assignee in bankruptcy of R. G. Johnson, the appellee in this cause, be and he is hereby substituted for said Johnson, as the party appellee in this cause.

Thomas P. Leathers
vs Appellant
The Saloon Wrecking
& Transportation Company.

On consideration of the motion of Mr. Johnson Grow to docket & dismiss this cause, it is now here ordered by the Court that said motion be and the same is hereby denied.

The New York Life Insurance Co.
217 vs. Appellant.
H. C. Statham et al.

The New York Life Insurance Co.
218 vs. Plff in Error.
Charlotte Seymes.

On the application of Counsel it is now here ordered by the Court, that one hour & a half time be allowed Counsel on each side in the argument of this cause

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The New York Life Insurance Co
217 vs. Appellant.
H. C. Statham et al

The New York Life Insurance Co
218 vs. Plff in Error.
Charlotte Seymes.

The argument of these causes was commenced by Mr. M. H. Carpenter of Counsel for the appellant and plaintiff in Error continued by Mr. Clinton Rice of Counsel for the appellee in No. 217 and by Mr. Joseph Casey of Counsel for the defendant in error in No. 218 and concluded by Mr. J. A. Garfield for the appellant and plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday April 27th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable	Morrison R. Waite,	Chief Justice.
	Nathan Clifford.	
	Noah H. Swayne.	
	Samuel F. Miller.	Associate
	David Davis	Justices
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion fixed made to the Court in this behalf by Hon. George F. Edmunds it is ordered that O. H. Irish Esquire of Nebraska City State of Nebraska be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. Chester it is ordered that J. J. Scrivener Esquire of Modesto, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Theodore Le Ray
961 vs. Plff in Error
José Antonio Chabollo
Joaquin Higuera &
wife, N. J. Hardwick
Smith Peck & Dk.
Botsford, C. Fieldsted
Lorenzo Pinto et al.

Mr. John Selden of Counsel for the defendants in error having filed and read in open Court the following certificate. to wit:

"In the Circuit Court of the United States in and for the District of California"
February Term 1868. April 6th 1869

Theodore Le Ray
vs.
José Antonio Chabollo et al

I, Lorenzo S. B. Sawyer, Clerk of the

Circuit Courts of the United States for the District of California do, hereby, certify that the plaintiff, in the above entitled action is, Theodore LeRoy, and the following named persons are defendants therein towit,

José Antonio Chabolla
Joaquin Higuera
Maria Dolores Bernal Higuera
his wife.
A. J. Hardwick
Smith Peck
Stephen Maples
Wesley Shaw
E. G. Pyle
D. R. Bickford
Christian Fildestad
Lorenzo Painter
John M. Ogan
A. J. Fowler
S. W. McCarley
Isaiah Hamilton
James Napoleon Smith
John E. Haley.

F. J. Hall, J. S. B. Stuart, B. F. Butts, Edward Gordfrey, Franklin Sherman, Dennis Cullen, Lafayette Jones, John A. Read, Thomas Harrison, A. D. Smith, Mark Emery, L. L. Fountleroy, Lyman H. Cook, Milo Jones, W. C. Ables, B. H. Gordon, Isaac Dixon, Charles C. Smith, Joaquin C. Bernal, J. T. Reasons, J. H. Hardwick, M. B. Lewis, M. Shubelow, Charles C. Towne, Henry J. Robinson, William M. Snoddy, John G. Robinson, Richard W. Holland, George Koster, J. C. Morrill, H. M. Magee

James H. Fuller, John M Fleming, Thomas Warner, Jacob Wandel, Squire Bulolen, Robert L. Beard, T. P. Redway, J. R. McBarley, C. D. Fowler, A. L. Huyck, Samuel Henderson, George Hobson, John Dugan, A. J. Fowler, Alfred Shew, James Willows, Reuben B. Jones, James J. Staley, D. B. Fuller, John Cooney, Henry R. Monroe, Vincent Foster, P. F. Wilson, George H. Bose, Thomas B. Worstell, Michael Laden, Isaac Foster, John McDonald, A. J. Foster, James McGregor, E. P. Reed, Hugh Hart, C. Maher, Calvin Martin, Thomas M. Smith, T. E. Snell, Thomas Cardiff, N. J. Roper, Reuben Baker, Monroe Jones, Michael Cahalan, John D. White, Francisco Bernal, Aaron Jones, Charles Gulnac, John Dugan, Noah Parr, Samuel Redman, Mrs. R. C. Wheeler, wife of W. H. Wheeler, J. N. Butler, Thomas Thompson, R. H. McElroy, J. O. Stratton, John Tennant, John M. Wilber, Josi Cantagua, G. M. Hawkins, Antonio Bernal, John Hutchinson, Encarnacion Higuera de Bernal, his wife, J. K. Boardman, B. R. Bailey, Henry Creiger, Francis Tremontana, John Thomas, San Juan Bautista Mining Company, Edward Simons, Edgar M. Chapman, Elvira M. Chapman his wife, Charles Parr, David

Greenwald, Daniel Murphy, Coleman Youngers, Hermann Hoffman, South Almaden Mining Company, Richard Richards, Martin Rodgers, Francisco Mendobles, David E. Gish, Nathaniel Shuse, James Alfred Rowland, Thomas P.B. Hicks, J.D. Lanibes, Charles E. Hoffman, Carmen Carens, Michael Norton, Adolfo Vinagre, Fernando Soto, Asuncion Reboleda, Mathias Rheimann, Martin Brannen, Thomas McDermott, George Smouls, John D. White, Verena Muller, P.S. Russell, E.B. Bowman, Frank Richmond, H.F. Depuslee, Jacoba Bernal, J.H. Thomas, Casar Piatti, D.M. Harwood, José Antonio Sepulveda, William Le Fevre, John S.E. Marr, Catharine Brown, Henry H. Cobb, Alexander Egan, Samuel Hamilton, Eliza Hamilton, his wife, Fulgencio Chalboyo, Guy Douglas, J.M. Patteson, A. Allers, Joseph Newman, Thomas Riley, William H. Meyers, Isaac Bird, L.N. Kahn, H.W. Coe, H.H. Coe, his wife, Christobal Palomares, N.J. McDaniel, J.H. McKean, David

Umbarger. Eugene J. McKean. George E. Ramm, J. N. Hall. John Trimble, George Ward, William D. Brown. James C Cobb. Henry Barking. Jas. Murphy. Jessee L. Stringfellow. James Ryan. Philip J. McCabe. D.W. Anderson Conrad Kuh, A. E. Anderson. Henry Tuthill, William Wood. John Fitzgerald. Thomas Bradley. James D Amos. Salvador Narvaez, E. Judd, Joaquin Narvaez, Jose Jesus Chaboya. E. Jordan. Salvador Chaboya Caleb B. Twiss. Ignacio Ortega. J. C. Harmon. Teresa Chaboya wife of Ignacio Chaboya. Alexandro Chaboya. Francisco Narvaez. Maria Chaboya de Narvaez his wife. Sisto Chaboya. Louisa Chaboya. City of San Jose. Leonardo Chaboya. Baldomero Vargas. Henry Miller. Amos White. D. R. Jones. John Hamilton. John Coupteing. Richard Baker. M. C. Briggs. J. G. Woodings. E. N. Swarthout. Samuel Tinsley. A. B. Hardwick. Jose Gomez. and his wife Emiliana Mesa de Gomez. John Doe and Richard Roe. administrator of the Estate of B. K. Reed. deceased. P. Gandenbert. H. D. Menton. Daniel Lundy. Agunah Lundy. James Howell.

G. B. Medes Carlos Berreyessa, John Shroll, Edmund Walsh, Percy Douglass, Charles A. Wyman, Quicksilver Mining Company, Joseph Chaboya de Narvaez, wife of Salvador Narvaez, Charles Lux, A. J. Houghton, P. H. Owen Charles H. Mitchell, Cornelius McGrory, J. C. Merrill, Francisco Munoz, T. J. Maxey, Harrison Lopez, Manuel Higuera, Jose Jesus Bernal, Josi de los Santos Mesa, Thomas J. James, Jose N. Narvaez, Francisco J. Alviso, Paul Benoy, Samuel Knapp, John M. Ogan, Richard Lundy, Davis Lundy, Francis M. Howell, Thomas D. Ogan, James S. Ogan, Sarah Ogan, wife of Alexander Ogan, Lewis Pass, Charles E. Fox, Le Roy A. Glaze, Philip Ryan, William Adams, Antonio Smith, James Dwyer, Marcelina Trevirew, Manuel Avandubes, Jacoba Bernal, James R. Barton, Jose Pablo Bernal, Catherine Baxter, Eliza B. Cory, B. M. Castle, Robert N. Cath. Davis Divine, Thomas Douglas, T. Earl, N. B. Edwards, Florencio Gomez, Simon Grogelet, Desiderio Galindo, Page Hollister, Frederick Hall,

J. C. Harman, W. C. Hart, J. Hobson, F. J. Hall, Martha Jacobs, Michael Killilea, Louis Killen, William Kilbon, Robert Kelch, L. Castleray, Ignazio Florez, Mercedez Fofiz, Tyler Beach, J. A. Butler, Charles J. Buchanan, Encarnacion Bernal, M. P. de Castro, Rose F. Curry, William Clemence, Michael Dawson, Sherman Day, C. R. Edson, Thomas Farnsworth, Mariana C. de Gomez, F. Guenbert, Levi Goodrich, C. L. Haag, Joseph Hartman, Jesse Hobson, Stephen Hobson, P. Hobson, D. H. Hahn, A. A. Knoche, Ralph Love, Meyer Leury, Jacob Leury, Rachael Montgomery, E. Mc Gillegan, William Moran, S. M. Meyers, W. H. Maffrie, Nyfolite Maffie, Calvin Martin, Victor Martin, Sylvester Newhall, John D. Roche, Charles Allen, J. C. Piercy, C. Piercy, John Doe Kirk, C. C. Redman, John Sullivan, M. Klein, Morgan Sweeder, G. P. Simpson, F. Stock, John Emmanuel, Marion Keller, Charles G. Holden, Jacob Lenzen, Michael Lenzen, John Mario, B. Moody, R. G. Moody, Calvin Martin, Francisco Mattie, José Munroe, William Meadowcroft, Teodora Moreno,

Edward McGrory, James A. Haulant, Thomas Cats. N. G. Patterson. Harry Pasking D. M. Porter, R. Ros Levy, John Doe Redmans, Lewis Scheller, D. C. Snell, Chas. Smith, L. W. Skinner, Wesley Connel, George Warren, Robert Wall, W. C. Wilson, John Doe, George, Doe, Thomas Doe, William Doe, Francis Doe, Silas Doe, Henry Doe, James Doe, Hugh Doe, Patrick Doe, Charles Doe, Horace Doe, Guillermo Doe, Cullen Doe, Williams Wallace Doe, Ulysses S. Doe, William Tell Doe, Obadiah Doe, Richard Doe, Edgar Poe, Alcibiades Poe, Cicero Poe, Cæsar Poe, Mark N. Poe, Nestor Poe, Ajax Poe, Aristides Poe, Hector Poe, Nero Poe, Brutus Poe, Cæsar Poe, Cassius Poe, Pericles Poe, Solon Poe, Epaminandus Poe, Turner Poe, John Poe, Dyonisius Poe, Agamemnon Poe, Juan Poe, Tomas Poe, Jesus Poe, Manuel Poe, Jauquin Poe, Jose Poe, Jose M. Poe, Pedro Poe, Guillermo Poe, Domingo Poe, Antonio Poe, A. Brown, B. Brown, C. Brown, D. Brown, E. Brown, F. Brown, G. Brown, H. Brown, I. Brown, J. Brown, K. Brown, L. Brown, M. Brown, N. Brown, O. Brown, P. Brown

C. Brown. R. Brown. S Brown. F. Brown
W. Brown. V. Brown. W. Brown. D. Brown
G. Brown. Z. Brown.

I further certify that judgment was rendered in the above entitled action in favor of defendants therein, on the 28th day of January A.D. 1871. and that on the 7th day of February A.D. 1871, the plaintiff Theodore L. Ray sued out a writ of error therein.

Seal

Witness my hand and the seal of said Circuit Court this 13th day of April A.D. 1876.

S. S. B. Sawyer.
Clerk.

by
J. G. O'Beirne
Deputy Clerk.

And having stated that the plaintiff in error has altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error. Now here moved the Court in pursuance of the 9th rule of this Court to dismiss the writ of error in

this cause docketed and dismissed.
On consideration whereof it is now here
ordered and adjudged by this Court,
that the writ of error in this cause
to the Circuit Court of the United
States for the District of California be,
and the same is hereby docketed
and dismissed with costs. And that
this cause be and the same is hereby
remanded to the said Circuit Court
to be proceeded in according to law
and justice.

per Mr. Chief Justice Waite.

The Town of Venice
53 vs Plff in Error,
Evander Murdock.

The Town of Enos.
511 vs. Plff in Error,
James C. Woodruff et al.

On motion of Mr. M. Ho, Carpenter leave is hereby granted the Clerk to issue the mandates in these cases.

The Town of Venice
55 vs Plff in Error,
James A. Woodruff et al.

The Town of Venice
56 vs Plff in Error,
William L. Matson.

The Town of Venice
90 vs. Plff in Error,
Ophir Edson

John Forsythe and
J. Young Scammon
vs. Pitts in Error
Mark Kimball, Assignee
in Bankruptcy of
the Mutual Security
Insurance Company
of Chicago.

Mr. D. H. N.
McPherson of
counsel for the
defendant in
error having
filed and
read in open
Court the
following

certificate, - to wit.

"Circuit Court of the United States for
the Northern District of Illinois.

Mark Kimball, Assignee
in Bankruptcy of the
Mutual Security Insur-
ance Company of
Chicago.
vs.
John Forsyth and
J. Young Scammon.

Assumpsit.

Northern District of Illinois. Ss.
I William H. Bradley, Clerk of the
Circuit Court of the United States
for the Northern District of Illinois

do hereby certify that on the Eighth day of November A. D. 1873 a judgment was rendered in favor of said Mark Kimball, assignee in Bankruptcy of the Mutual Security Insurance Company of Chicago Plaintiff and against John Forsyth and J. Young Scammon, defendants in said entitled cause, in said Court, in an action of assumpsit, for the sum of thirty six hundred and thirty six dollars and seventeen cents damages besides costs of suit. That on the thirteenth day of October A. D. 1873 said defendants sued out of the office of the Clerk of said Court, a writ of error to reverse said judgment, and duly lodged a copy thereof in said Circuit Court, and that afterwards, to wit on the fifth day of December A. D. 1873 said defendants filed in said Court their supersedeas bond in said entitled cause, which was duly allowed and approved by said Court.

Seal

In testimony whereof I have hereunto set my

hand and affixed the seal of said Circuit Court, this twenty fourth day of April A. D. 1876.

Wm H. Bradley,
Clerk.

And having stated that the plaintiffs in error have altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, now here moved the Court, in pursuance of the 9th rule of this Court, to have the writ of error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this court that the writ of error in this cause to the Circuit Court of the United States for the Northern District of Illinois be and the same is hereby docketed and dismissed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

219 The Steam Ferry Boat America &c. vs. The Camden & Amboy Railroad & Trans. Comp'y. Appellant.

This cause was argued by Mr. B.D. Silliman of counsel for the appellant.

and by Mr. W.R. Beebe, for the appellee.

221 The City of St. Louis vs. The United States Appellant

The argument of this cause was commenced by Mr. M. Blair of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday April 28th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite — Chief Justice
Nathan Clifford — Associate Justices.
Noah H. Swayne.
Samuel F. Miller.
David Davis.
Stephen J. Field.
William Strong.
Joseph P. Bradley.
Ward Hunt.

John G. Nicolay, Esquire, Marshal.
Daniel Tredy Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George H. Williams it is ordered that Charles L. Easton, Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the court in this behalf by Mr. F. Carroll Brewster, it is ordered that D. B. Mearns Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thomas R. Mills jr. Admr of Geo. Hall, decd
965. vs. Plff in Error
Levi H. B. Scott

Mr. A. J. Akerman of counsel for the defendant in error having filed and read in open court, the following certificate to wit.

"United States of America
Southern District of Georgia } ss.

In the Fifth Circuit Court of the United States for the Southern District of Georgia.

Levi H. B. Scott
vs.
Thomas R. Mills jr. Admr. with the will annexed of George Hall, deceased.

Debt - suit filed December 30th 1870.

Southern District of Georgia ss

I James McPherson, Clerk of the Fifth Circuit Court of the United States for the Southern District of Georgia do certify that in the cause above entitled a judgment was rendered in said court on the twenty second day of December in the years of Our Lord one thousand eight hundred and seventy three in favor of the said plaintiff against the said defendant, the sum of thirty one thousand five hundred and fifty four dollars and twenty three cents, to be levied and made of the property, goods, chattels, lands and tenement of the said George Hall, in the hands of the said defendant Thomas R. Mills jr. administrator, to be administered and the residue of the sum of sixty eight thousand, six hundred and fifty four dollars and seventy seven cents to be levied and made of the property of said decedent George Hall when the same shall come to the hands of the said administrator Thomas R. Mills jr. and costs of suit to be taxed.

And thereupon on motion of

Counsel for defendant and by written consent of plaintiffs Counsel the following order was entered up in said cause towit "In the above cause the Court having ordered the plea of defendant of the statute of limitations of the State of Georgia of March 1869. to be stricken as not availing said defendant, and defendant by his counsel having excepted to said decision and ruling and the verdict of the jury which exception is noted by the Court before the jury is discharged. It is ordered on consent of counsel that defendant have thirty days from this date in which to frame and file his exceptions to said decision and to take the verdict of the jury this day rendered, in said case and exceptions when so filed in accordance with this order to have the same effect as if filed during the term of this Court and subsequent proceedings to date from such filing.

And I do further certify that on the twenty first day of January in the year of our Lord Eighteen

hundred and seventy four the said defendant came by his counsel paid the costs of the suit which were taxed, filed his bill of exceptions, and sued out a writ of error from the Supreme Court of the United States, to the Circuit Court of the United States for the Southern District of Georgia, in said cause returnable to the term of the said Supreme Court, then sitting (October Term 1873.) the usual order allowing the said writ of error to be sued out having been made by the Court.

On witness whereof, witness my hand and the seal of the said Court at Savannah in the said district this the twenty second day of April in the year of our Lord Eighteen hundred and seventy six.

Jas McPherson

Clerk

And having stated that the plaintiff in error has altogether failed to file the record of said cause in this Court

or in any way to prosecute said writ of error, now here moved the Court in pursuance of the 9th rule of this Court to have the writ of error in this cause docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Southern District of Georgia, be and the same is hereby docketed and dismissed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite

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937 Selucius Garfield, Appellant vs. The United States

On motion of Mr. E. C. Ingersoll leave is hereby granted him to submit finding of facts, and also, to file reply brief in this cause.

Warren Hall
175 vs. Appellant.
The United States

The United States
187 vs. Appellant.
Margaret Roach Exx'x

On motion of Mr. J. H. N. McPherson leave is hereby granted the Clerk to issue the mandates in these cases.

The City of St Louis
221 vs. Appellant
The United States

For argument of this cause was continued by Mr. M. Blair of Counsel for the appellant, by Mr. Solicitor General Phillips of Counsel for the appellee and concluded by Mr. M. Blair for the appellant.

The Franklin Fire Insurance Company
122 vs. Pl'ffs in Error.
James L. Vaughan

This cause was argued by Mr. Albert Pike for the defendant in error and submitted on printed argument by Mr. W. M. Rose for the plaintiffs in error.

	William Shuey Exec rc	The argument
223	vs. Appellant	of this cause
	The United States.	was commen
		ced by Mr.

D. B. Meany of counsel for the appellant, continued by Mr. Assistant Attorney General Smith of counsel for the appellee and concluded by Mr. E. Carvalle Brewster of counsel for the appellant.

	Jane F. Haywood and	In error to
	Fabius J. Haywood	the Circuit
101	vs. Plffs in Error.	Court of
	Charles Dewey, Assignee	the United
	of the Bank of North	States for
	Carolina, a Bankrupt.	the Eastern
		District of

North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North Carolina, and on the motion of Mr. E. B. Smith in behalf of

Mr. S. G. Phillips of counsel for the defendant in error, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in accordance with law and justice.

Per the Chief Justice Waite.

Proclamation being made the court is adjourned until Monday the first of May at twelve o'clock.

Monday May 1st 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller, | Associate
David Davis | Justices
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. A. H. Jenkins it is ordered that E. G. Bell Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. B. C. Drew it is ordered that William R. Anno, Esquire of Jacksonville, State of Florida be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips it is ordered that Alexander Porter Morse, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this court and he was sworn accordingly.

The State of Florida
vs Orig. vs. Complainant.
Edward C. Anderson jr
Daniel P. Holland et al.

On Bill in Equity.

And now on this first day of May, A.D. 1876. the Court being advised of certain proceedings and decrees had and made by and before

the Circuit Court for Duval County in the State of Florida, and by and before the Supreme Court of said State in the cause mentioned in the bill and pleadings in this cause, wherein the State of Florida and the Trustees of the Internal Improvement Fund of said State were plaintiffs and the Jacksonville Pensacola and Mobile Railroad Company and others were defendants, whereby it hath been held and adjudged that the three thousand bonds for one thousand dollars each issued by the said Company in the year Eighteen hundred and seventy- in exchange for State bonds are valid and binding and create a statutory lien upon the railroad and property of said Company and that by virtue thereof the said State is entitled to take possession of said property and sell the same, not only to raise and pay the unpaid principal money mentioned in the said original bill, but also what may be justly due on said bonds; and that the sale of

said railroad and property under execution at the suit of the defendant Daniel P. Holland was void and of no effect and gave him no right or title, as against the said State to the possession of said railroad and property, or to the income, tolls or revenues thereof, and it appearing that the possession of that part of said railroad between Quincy and the Apalachicola river is claimed by one James G. Gibbs but is a part of the said Jacksonville, Pensacola and Mobile Railroad and was not in possession of said Gibbs when the receiver was appointed by this court, nor of any person claiming under said Gibbs, and that his right to the possession thereof is denied by the said State as the holder of said bonds, and the said State of Florida through its Executive and the said Trustees of the Internal Improvement Fund having deputed Dennis Eagan, the Commissioner of Lands and Immigration of said

State to receive the said railroad and property from the receiver of this Court. Therefore, it is ordered and decreed that Robert Walker the receiver appointed by this Court do, on or before the first day of June next, deliver the said railroad and all its appurtenances, extending from Lake City to the Apalachicola river, and from Tallahassee to St. Marks, and all the rolling stock and property connected therewith to the said Dennis Eagan Commissioner of Lands and Immigration of the State of Florida on behalf of said State, reserving however to said James G. Gibbs the right to institute against said Eagan and his successors having possession of said road any legal proceedings for the determination of his claim to the possession of the railroad between Quincy and the Apalachicola river, and the delivery to said Eagan of that portion of said railroad is subject to said right of the said Gibbs to institute such proceedings.

And as to the railroad and property of the Florida Central Railroad Company which the said receiver still holds in his possession for the purpose of recovering the balance due for moneys expended by him in the improvement thereof, it is ordered that the same be delivered to the said Florida Central railroad Company subject to the payment of said balance that may be now due after all proper allowances to the State of Florida.

It is further ordered that the said receiver do close and settle up the business of his receivership with all convenient speed, that he collect all moneys due for freights, passage, mail-service, and other services, and all dues of every kind which shall have accrued up to the time of his delivery of the possession as aforesaid under his administration of said road and property; and that he settle his accounts for all receipts and expenses as received before the clerk of this

Court who is hereby authorized to audit and settle the same under the direction of the Chief Justice, and that he exhibit his vouchers therefor.

It is further ordered that he have the use of all vouchers, reports and statements connected with the operations or business of the said railroad during his administration which he may require in the settlement of his accounts; and that he be authorized to retain permanent possession of all books, papers and accounts connected with his administration of the property during his receivership, giving access thereto for the purpose of necessary information to the officers of the State having the management of the said railroad.

It is further ordered and decreed that out of the moneys in the hands of the receiver or that may come to his hands, arising from the income, tolls, and revenues of said railroad or other sources connected therewith over and above the

charges and expenses paid, to pay the following charges demands and amounts in the order in which the same are here named, that is to say.-

First- The costs and expenses of this suit, including the fees and costs of the officers of this court and of any master or examiner appointed by the Court to take accounts or testimony in the case; and the taxable costs and charges of the complainant.

Secondly. All expenses and debts due or incurred by the receiver and all proper claims arising against him, in the administration of his trust as receiver, and not before paid and discharged; including stationery, clerk hire, and travelling and other incidental expenses.

Thirdly. A sum of money to be retained by the receiver for his compensation as such, at the rate of ten thousand dollars per annum, from the time of his assuming the duties of his appointment to the time of

closing up the business incident thereto including a reasonable time for the settlement of his accounts not later than the first day of July next.

Fourthly. To the Rogers Locomotive and Machine Works, the sum of fifteen thousand eight hundred dollars and eighty four cents and interest on the sum of ten thousand, seven hundred and seven dollars and eighty one cents at the rate of seven per cent per annum, from the twenty fourth day of August Eighteen hundred and seventy four till paid, being the amount due to said company for locomotives received and used by said received out which said company had a specific lien.

Fifthly. All unpaid sums due to laborers and servants actually employed in the operation and care of said railroad west of Salt Lake City during the pendency of this suit and prior to the time when the said receiver took charge of said property (namely from the ninth of December

1873 to the 6th day of May 1874 which sums according to the report of said receiver amount to twelve thousand dollars or thereabouts.

Sixthly. Any balance of moneys that may remain in the hands of said receiver after the payment of the said charges, demands and amounts above specified shall be paid by the receiver to the Clerk of this Court who is hereby appointed register of the Court, to receive and keep the same subject to the further order of the Court.

Jos. Mr. Justice Bradley.

Angelina Amory
SON vs. Appellant
Samuel B. Johns
Amory Executors et al.

On consideration of the motion of Mr. E. M. Gillett and of the arguments of counsel thereon had, as well in support of, as against the same; it is ordered by the Court that the order of the 25th of October A.D. 1875, docketing and dismissing this appeal be, and the same is hereby rescinded and

annulled, and that the appellant have leave to file her cause and have the same docketed in conformity to the rules of this Court upon payment of costs. And it is further ordered that unless the said appellant shall on or before the first day of October next file with the Clerk of this Court a further bond in the penal sum of twenty five hundred dollars with security to his satisfaction conditioned for the payment of his fees or otherwise satisfy him in that behalf the appeal shall be again dismissed.

per Mr. Chief Justice Waite.

K. J. Anthony et al
Commissioners,
S/O vs. Appts in Error.
The Bank of Commerce
of Richmond

The writ of error in this cause bears date "this first Monday of December in the year of our Lord one thousand Eight hundred and seventy four." but we are satisfied from the other evidence appearing in the record that it

were not issued until on or about the first day of November 1875. The writ may therefore be amended by making it returnable on the first day of the next term. Writs of error should be dated as of the day of their issue.

	George Pursglove	The motion in
951	vs. Appellant	this case to make
	The Steamship	the deposition
	"Juniata"	of Dr D.C. Holliday,

taken since the appeal, a part of the record, is granted upon the shewing now made.

	Peyton Grymes	The death of
13	vs. Appellant	George S. Republican
	Dallas Sanders Admr	one of the appellees
	d. b. n. of George S.	in this cause
	Republican dec'd and	having heretofore
	James Lanigan.	been suggested

It is now on motion of Mr. E. L. Stanton of counsel for the appellees, ordered that Harry F. Republican

Catherine Dougherty James L. Dougherty, husband of said Catherine Dougherty, Charles A. Keppler, George S. Keppler and Julia Keppler and also Imogene Keppler, Joseph Keppler, Carrie Keppler and Fannie Keppler minors by their next friend Julia Keppler representatives in the realty of George S. Keppler, deceased, be admitted as parties appellee in this cause, with liberty to resist this appeal.

Francis A. Dant,
135 vs. Appeal in Error
The District of Columbia.

On motion of Mr. E. L. Stanton leave is hereby granted the Clerk to issue the mandate in this cause.

The Schuylkill Iron Co.,
vs. Appeal in Error,
The Samson Mining Co.

On consideration of the motion of Mr. Hunn Hanson to docket and dismiss this cause it is now here ordered by the Court that said motion be and the same is hereby denied.

The State of South Carolina
8. Orig. v. Complainant,
The State of Georgia et al

On motion of Mr. S. Phillips leave is hereby granted to file amended bill in this cause.

Proclamation being made the Court is adjourned until Monday the 8th of May at Eleven o'clock.

Monday May 8th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire Marshal
Daniel Tresley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. P. Phillips it is ordered that Abraham J. Parrott, Esquire of New London and John T. Wait, Esquire of Norwich, State of Connecticut, E. Alexander Bonnes, Esquire of Brooklyn, State of New York and C. D. Willard, Esquire

of Washington City, District of Columbia, be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly

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The Franklin Fire Insurance Company of Philadelphia. Plff in Error
vs. } In error to the Circuit Court of the United States for the Eastern
James L. Vaughan. } District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the

State of Arkansas.

Per Mr. Justice Hunt.

937 Schuyler Garfield, Appellant
v.
The United States

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Court of Claims in this cause be and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said Court of Claims for further proceedings to be had therein in conformity with the opinion of this court.

Per Mr. Justice Hunt.

915 Joseph Eckendorfer, Appellant,
v.
Eberhard Faber.

Appeal from the Circuit Court of the

United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Hunt.

Dissenting
Mr. justice Strong.
" " Bradley.
" " Davis.

E. N. Marshman
150 vs. Pitt in Error
Bates County.

In error to the Circuit Court of the United States for the Western

District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Bradley.

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199 Branch Sons & Company & The South Carolina R.R. Co. vs. The City Council of Charleston et al. (and) The City Council of Charleston et al, vs. Branch, Sons & Company.

Appeals from the Circuit Courts of the United States for the District of South Carolina

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This cause came on to be heard on the transcripts of the record from the Circuit Court of the United States for the District

of South Carolina, and was argued by Counsel. On Consideration whereof it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be and the same is hereby affirmed in all respects except as to the item of twenty five thousand dollars for replacing the tracks and side tracks within the city limits of Charleston, as to which the decree is reversed, and it is adjudged and decreed that the said item is properly for repairs and renewal of the road of The South Carolina Canal & Railroad Company and liable to be taxed in full. And it is ordered that the cause be remanded to the Circuit Court with directions to modify the decree accordingly.

And that each party pay their own costs in this Court.

Per Mr. Justice Bradley

	The Coastwise Company Claimants of the Steamer "Alabama" &c	Appeals from the
201	vs. Appellants	Circuit
	Nicholas De Las Casas.	Court of
	(Ex)	the United
	Nicholas De Las Casas.	States
202	vs. Appellant	for the
	The Steamer "Alabama" &c,	Southern
	The Coastwise Company Claim't	District
	& Wm E. Gladwish, Clerk of	of New
	the Steam tug "Dawcock."	York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court be, and the same is hereby reversed with costs- and that this cause be and the same is hereby remanded to the said Circuit Court

with instructions to enter a decree in conformity with the opinion of this Court

Per Mr. Justice Bradley.

Dissenting
Mr. Justice Clifford.

Nicholas Berman, Collector of the Port of New York
Jr. Plff in Error
vs.
William Watson and
William G. Fowler.

In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court,

with directions to award a venire facias de novo.

per Mr. Justice Bradley.

The Central Railroad & Banking Company
vs
The State of Georgia

In error to the Supreme Court of the State of Georgia.

5th Nov 11 Off in Error

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court with instructions to reverse the order of the Superior Court of Fulton County and to direct further proceedings in conformity with the opinion of this Court.

per Mr. Justice Strong

The Southwestern Railroad Company,
578 vs. Plff in Error
The State of Georgia

In error to the Supreme Court of the State of Georgia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Georgia, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, And that this cause be and the same is hereby remanded to the said Supreme Court with instruction to reverse the order of the Superior Court of Fulton County.

Per Mr. Justice Strong

George C. Treacy
729 vs. Plff in Error
The Township of Osceola in the County of Labette, and State of Arkansas

In error to the Circuit Court of the United States for the District of Arkansas

Monday May 8th 1876. Continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Arkansas, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court, with directions to award a new trial.

per Mr Justice Strong

Dissenting:-
Mr Justice Miller
" " Davis
" " Field.

728. Kimball Hamilton & Co. vs. Stiff in Error.

Kimball Hamilton & Co. is the County of Allen, State of Kansas

Kimball Long, J. B. Briggs and M. B. Morton, partners under the firm name and style of H. Long & Company.

In error, to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Kansas.

Dissenting: Mr. Justice Strong
Mr. Justice Miller
" " Davis
" " Field

The United States, Appellants
vs. | Appeal from the Court of Claims.
George H. Ross.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here

ordered and adjudged by this court that that judgment of the said Court of Claims in this cause be, and the same is hereby, reversed. And that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to award a new trial.

Per Mr. Justice Strong.

William Shuey, Executor of Henry B. St. Mark deceased.
vs.
The United States.

Appeal from the Court of Claims.

223 Appellant.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Strong.

	Silah Chamberlain	Appeal
190	vs. Appellant.	from the
	The St. Paul and Sioux City	Circuit
	Railroad Company. N.P. Banks,	Court of the
	S. B. Ruggles. H.B. Marshall,	United States
	C. Schaffer. T.A. Scott, S.E.	for the
	Hall, G.L. Seney & J.A. Stewart,	District of
		Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Dissenting. per Mr. Justice Field.

Mr. Justice Strong.

	Henry Miller, Thomas Reed, and James P. Sergeant.	In error to the Supreme
185.	vs. Appls in Error.	Court of the
	Geo. W. Dale Sergeant and	State of
	D. C. Riddle et al.	California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr Justice Field.

	G. D. Newhall	Appeal from the
503	vs. Appellant.	Circuit Court of the
	Charles W. Sanger.	United States for the
		District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by Counsel

On consideration whereof it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Dissenting: Mr. Justice Field. Mr. Justice Strong.

Per Mr. Justice Davis.

The Town of Elmwood, Plff in Error,
vs.
George C. Marcy.

In error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the

said Circuit Court, in this cause be, and the same is hereby, reversed with costs- And that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

Per Mr Justice Davis.

Dissenting:
Mr Justice Strong
" " Clifford
" " Swayne

William Burdell, D. Marshall Smith & Summer P. Smith,
vs
Augustus Denig and William E. Ide.

In error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for Southern District of Ohio and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the

judgment of the said Circuit Court in this cause be, and the same is hereby, reversed, with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

for Mr. Justice Miller

305

Andrew H. Hammond (and Arthur A. Goodell) vs. The Bacon & Hamlin Organ Company.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this

cause be and the same is hereby affirmed with costs.

Per Mr. Justice Miller.

921. The City of St. Louis vs. The United States — Appellants — Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Miller.

702. Isaac Taylor, et al vs. James F. Secor and William Tracy — Appellants — Upon examination of the petition of the appellees for a rehearing of this cause it appears that the bill

charges and the answer) admits that some thirty sixths (30/36) of the taxes called the State tax, is unconstitutional and ought not to be collected; and though the answer disclaims any right to collect or intention to collect that part of the tax- It is ordered that on the return of this case to the Circuit Court, that Court may make such order, by way of injunction or otherwise, as may be appropriate to that matter in conformity to the statements of the bill and the answer but without cost against defendants in the bill

per Mr. Justice Miller.

Brook Major (Mr. Henry Hall,

1935 vs. Pittsburgh

The Standard Life Insurance Company

Error to the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the

Circuit Court for the Southern District of Alabama, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with Costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Alabama.

per Mr Justice Swayne.

Francis L. Markey, Isaac Branch & Daniel W. Branch.

197 vs.

H. C. Langley, Samuel Keyser & C. D. Cook.

Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by Counsel. On consideration whereof

it is now here ordered, adjudged, and decreed, by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed, with costs.

Per Mr. Justice Bradley.

James P. Carroll. A.
Baxter Springs, B.
Stanley, Charles Lyman &
Arthur W. Kennedy.
216 vs. C. J. Pelland &
Joshua T. Francis Exrs.

Appeal from the Circuit Court of the United States for the District of South Carolina

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by Counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed

with costs - and that this cause be and the same is hereby remanded to the said Circuit Court, with directions to dismiss the bill

per Mr. Justice Swayne

75 Charles R. Tyng and Lawrence Y. Hopkins vs. Offs in Error. Moses H. Grinnell. | In error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs

per Mr. Justice Clifford

Fremont Robert, William C. Gladwish, A.W. Benedict, F.W. Carder, A.K. Benedict, Daniel McWilliams, Edward White, Jas. Mouat, Wm Patrick Tyrrell, Appellants, vs. The Propeller Galatea &c, The Providence & Newyork Steamship Company.	Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court, with directions to enter a decree affirming

the decree of the District Court.

per Mr. Justice Clifford.

The Steam Ferry Boat "America" her tackle &c. The Union Ferry Company of Brooklyn Claimants. vs. Appellants
Mr. Camden & Amboy Railroad & Transportation Company.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by Counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby reversed, with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to affirm the

damages and costs in both Courts below, equally between the respective cases, in conformity with the opinion of this Court.

Per Mr. Justice Clifford.

The United States		Appeal from
176 vs.	Appellant	the Court of
Eugene Dieckelman.		Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel- On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby, reversed. And that this cause be, and the same is hereby, remanded to the said Court of Claims, with directions to dismiss the petition.

Per Mr. Chief Justice Waite.

	The United States	
908	vs. Appellants	Appeal from
	John B. Raymond	the Court of
	Assignee in Bankruptcy	Claims.
	of J. W. Maybin.	

This cause came on to be heard on the transcripts of the record from the Court of Claims and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice White.

	The United States	
911	vs. Appellants	Appeal from
	Thomas Kidd.	the Court of
		Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof it is now here ordered and adjudged

by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr Chief Justice Waite.

The United States
91 Appellants
James J. Curran, Administrator of Sarah Conrad, deceased.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed.

per Mr Chief Justice Waite.

The United States
93 Appellants
J. B. Brabston

Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite

The United States		Appeal from
911 vs.	Appellants.	the Court of
Charlotte Spear		Claims

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby, affirmed.

per Mr. Chief Justice Waite.

	The United States	Appeal from
915	vs. Appellants	the Court of
	E. K. Wood Lead	Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be and the same is hereby, affirmed.

per Mr Chief Justice Waite.

	The United States	Appeal from
916	vs. Appellants	the Court of
	J. Reese Cook	Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the

said Court of Claims in this cause be, and the same is hereby affirmed

per Mr. Chief Justice Waite.

	The United States	Appeal from
917	vs. Appellants.	the Court of
	Ellen D. Batchelor	Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr. Chief Justice Waite.

	The United States	Appeal from
918	vs Appellants	the Court
	George Hawkins	of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was

argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed

per Mr Chief Justice Waite.

The United States
919 vs. Appellants
James J. Comyn, Admr.
of John Comyn, deceased.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed.

per Mr. Chief Justice Waite.

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921 The United States vs. Appellants N. F. Gardiner Assignee of Robert G. Johnson a Bankrupt. | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Waite.

922 The United States vs Appellant William F. Smith. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered, and adjudged by this Court that

the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

Per Mr. Chief Justice Waite.

	The United States	Appeal from
9711	vs. Appellants	the Court
	Hannah Bodenheim	of Claims.
	Executrix of Henry Bodenheim	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered, and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Chief Justice Waite.

	Gains Whitfield	Appeal from
198	vs. Appellants	the Court
	The United States	of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed.

Dissenting — per Mr. Chief Justice Waite.
J. Justice Field.

Horatio N. Spencer, Appellant
vs.
The United States.

Appeal from the Court of Claims.

168

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed.

per Mr. Chief Justice Waite.

The New York Life Ins. Company.
213 vs. Pltff in Error.
Henrietta Hendrew.

In error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia and was argued by counsel. On Consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby, dismissed for want of jurisdiction

Dissenting. Per Mr. Chief Justice Waite.
Mr. Justice Bradley.

Michael McStay,
Peter Donahue and
John Kelso.
900 vs. Pltff in Error
Joseph S. Friedman.

In error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on the motion of Mr. A. A. Sargent to dismiss, which motion was argued by counsel. On consideration whereof it is now here ordered and adjudged by this court, that the writ of error in this cause be and the same is hereby dismissed for want of jurisdiction.

Per Mr. Chief Justice Waite.

Marshal O. Roberts and Edward N. Dickerson, Surviving Trustees of Albert G. Sloo.
539 vs. Appellants
The United States

Ordered by the court, that the motions to recall the mandate and modify the decree in this cause be, and the same are hereby denied.

The Ringold Iron and Coal Company. Plff in Error.
1874 vs.
The Samson Mining Company.

Mr Hunn Hanson of counsel for the defendant in error, having filed and read in open Court, the following certificate, to wit:

"In the Circuit Court of the United States for the Eastern District of Pennsylvania in the third Circuit.

Samson Mining Company a corporation of the State of New Jersey. vs. Ringold Iron & Coal Company a corporation of the State of Pennsylvania. } Of April Sessions 1874 No. 67.

I, Samuel Bell, Clerk of the above named Circuit Court do hereby certify that on the twenty fourth day of April 1875. judgment was duly entered in the said Court in

favor of the said above named Samson Mining Company (a corporation of the State of New Jersey, plaintiff, in the above entitled case, and against the said above named Ringold Iron and Coal Company (a corporation of the State of Pennsylvania defendant in said entitled case) for the sum of $111.65.46 besides cost of suit.

And that on the twenty ninth day of April 1875 the said defendant sued out of said Court a writ of error returnable to the Supreme Court of the United States at Washington on the second Monday of October 1875 to reverse said judgment which writ of error was duly allowed and to wit on the twenty ninth day of April 1875 the said defendant filed in said Circuit Court its Supersedeas Bond in said entitled case which was duly approved by said Circuit Court

(Seal)

In testimony whereof I have hereunto set my hand

and affixed the Seal of the said Circuit Court, hereto this 22d day of April 1876.

Samuel Bell,
Clerk Cir. Ct. U.S.
E.D. of Pa."

and having stated that the plaintiff in error has altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, now here moved the Court, in pursuance of the 9th Rule of this Court, to have the writ of error in this cause docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court, that the writ of Error in this cause to the Circuit Court of the United States for the Eastern District of Pennsylvania, be, and the same is hereby, docketed and dismissed with costs, And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded

in according to law and justice.

per Mr. Chief Justice Waite.

173. Blakely Wilson
Pltff in Error
v.
Lafayette McEllis

Blakely Wilson
Pltff in Error
v.
Peter Boyce

It appearing to the Court that Blakely Wilson the plaintiff in error in these cases, departed this life during the pendency of these writs of Error in this Court it is now here ordered that the death of Blakely Wilson be suggested, and that the cause abate as to him, and be revived and continued in the name of Edward N. Wilson, residuary legatee of said Blakely Wilson, deceased, nunc pro tunc, as of the 1st day of April, 1876.

per Mr Chief Justice Waite.

Amendment to Rule 6.

Add at the end of paragraph 3.-

There may be united with a motion to dismiss a writ of error to a State court, a motion to affirm on the ground that although the record may show that this court has jurisdiction, it is manifest the writ was taken for delay only, or that the question on which the jurisdiction depends is so frivolous as not to need further argument.

Amendments to Rule 10.

Paragraph 1.- So that it will read as follows-

1. In all cases the plaintiff in error or appellant on docketing a cause and filing the record, shall enter into an undertaking to the clerk with surety to his satisfaction for the payment of his fees, or otherwise satisfy him in that behalf.

Paragraph 6.- So that it will read as follows-

6.- In all cases of dismissal for want of jurisdiction the fees for the copy shall be taxed against the party bringing the suit into Court unless the Court shall otherwise direct.

The State of South Carolina
vs Complainant
The State of Georgia et al.

The Bill of Complaint and the amendment

thereto having been answered by said defendants Jas. Humphries and Gilmore, it is now ordered that the remaining defendant the State of Georgia answer the same within sixty days from the service of a subpoena and a copy of the Bill and amendment on the Governor and Attorney General of said State.

If the said State shall not appear at the return day named in the subpoena the complainants shall be at liberty to proceed ex-parte.

It is further ordered that replication to answers in this case be filed within ten days after the filing of the Answer of the State of Georgia.

The State of South Carolina. Complt.
vs
The State of Georgia, Defdt.

For the purpose of speeding the trial of the above cause.

It is ordered that the Clerk of this Court sixty days after the service of a subpoena on the Governor and Attorney General of the State of Georgia, or as soon as the State of Georgia shall file its answer, shall issue a commission to James E. Hagood, Clerk of the Circuit Court of the United States at Charleston South Carolina to examine such witnesses as may be brought before him by either the complainants or defendants touching the character of the obstruction now being placed at the cross sides between Hutchinson's Island and Argyle Island in the Savannah River and its effect upon the navigation of the Savannah River and the property owned on said River.

The time and place for the examination of witnesses to be notified to the adverse parties ten days before the examination.

The testimony to be closed by the second Monday of September next.

It is further ordered that the cause be set down for hearing on the first day of next term of the Court and on failure of it being brought on hearing at that time the defendants shall be at liberty to apply for a dissolution of the injunction.

The State of Florida
3 Orig. vs. Complainant.
E. C. Anderson jr. et al

On motion of Mr. W. H. Carpenter leave is hereby granted him to file motion for clerk to pay amounts of D. P. Hollands judgment in this cause.

The State of Florida
3. Orig. vs. Complainant
E. C. Anderson jr. et al.

On motion of Mr. Wm Birney leave granted him to file exceptions to Receivers Report.

The State of Florida
3 Orig.l vs. Complainant.
E. C. Anderson jr. et al.

It is ordered, that any of the parties to

this cause have leave to file exceptions to the accounts of the Receiver at any time within sixty days after the presentation of said accounts to the Clerk for auditing the same.

Thomas C. Mills Jr. Admr. of George Hall, deceased
Gles vs. Plff in Error
Levi H. B. Scott

Mr. C. D. Willard having suggested to the Court, that the plaintiff in error was prepared to file the record and have this cause docketed pursuant to the rules of this Court, moved the Court to rescind and annul the order entered on the 28th of April last, docketing and dismissing this writ of error. Whereupon it is now here ordered by this Court that the order of the 28th of April last, docketing and dismissing this writ of error be, and the same is hereby rescinded and annulled, and that the plaintiff in error have leave to file his cause and have the same docketed in conformity to the rules of this

Court, upon payment of costs
per Mr. Chief Justice Waite

Order.

The Reporter having represented that owing to the number of decisions at the term, it will be impracticable to put the Reports in one volume, it is now therefore ordered that he publish an additional volume in this year, pursuant to the act of Congress of March 2nd. 1867.

Order.

It is now here ordered by the Court that all the cases on the docket not decided, and all the other business of the term not disposed of by the Court, be, and the same are hereby, continued to the next term of this Court.

Proclamation being made, the Court, is adjourned to the time and place appointed by law.

. At the Capitol of the United States in the City of Washington and District of Columbia being the present seat of the National Government of the United States on the second Monday of October being the ninth day of the same month) in the year of our Lord one thousand eight hundred and seventy six and of the Independence of the United States the one hundredth and first. the Supreme Court of the United States met agreeably to law.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire, Marshal
Daniel Wesby Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in

this behalf by Mr. J. Hubley Ashton it is ordered that Charles Hart Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. Philip Phillips it is ordered that Edward N. Norman Esquire of Washington District of Columbia Henry C. Miller Esquire of New Orleans State of Louisiana John Johnson Esquire of New York City, N. M. F. Randolph Esquire of Topeka State of Kansas and W. E. F. Deal Esquire of Virginia City State of Nevada be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr Henry Beard it is ordered that William C. Coad Esquire of Colusa State of California be admitted to practice as an attorney and counsellor

of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. B. Howard it is ordered that George L. Wright Esquire, of New Orleans State of Louisiana be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Chief Justice announced that the Court would commence the call of the docket tomorrow under the 40th rule

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Proclamation being made the Court is adjourned until tomorrow, at twelve o'clock

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Tuesday October 10th 1876.

Pursuant to adjournment the Court met, today at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Wm. R. Phillips it is ordered that J. R. Burns, Esquire, of McKinney Collin County, State of Texas: William Stone, Esquire, of Charleston State of South Carolina, and George D. Buckley, Esquire, of San Francisco, State of California, be admitted to practice as

Attorneys and Counsellors of this Court and they were sworn accordingly

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On motion first made to the Court in this behalf by Mr Reginald Fendall, it is ordered that Leigh Robinson, Esquire of Washington City, District of Columbia, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered that George E. Barr Esquire of Reading, and George I. Bispham, Esquire of Philadelphia State of Pennsylvania be admitted to practice as attorneys and Counsellors of this Court and they were sworn accordingly

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On motion first made to the Court, in this behalf by Mr. C. L. Stanton it is ordered that George M. Dallas, Esquire, of Philadelphia State of Pennsylvania, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. G. H. Bartley it is ordered that R. E. Houghton Esquire of San Francisco State of California be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Conway Robinson it is ordered that William Green Esquire of Richmond, State of Virginia be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

The State of Wisconsin
Orig. vs. Complainant
The City of Duluth et al.

On motion of Mr. Enoch Totten, leave is hereby granted him to file stipulation and accompanying papers in this cause.

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38 The United States vs. The Union Pacific R.R. Co. et al. Appellants

On motion of Mr. Solicitor General Phillips, it is ordered that this cause be assigned for argument on the 13th of December next.

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103 George W. Wheeler vs. Pfff in Error. John Sedgwick assigned &c.

Mr. P. Phillips of counsel for the defendant in error having filed and read in open Court a suggestion of a diminution of the record in this cause in the words and figures following to wit

"And for other money before that time paid, laid out and expended by said F. S. Comstock and company for the said defendant, and at the late request of the said defendant."

"By reason of which omissions and errors aforesaid the said Counsel now here move the Court to award a writ of certiorari to be directed to the Judges of the Circuit Court of the United

States for the Southern District of New-York, commanding them that searching the record and proceedings of said Court in this cause they shall certify to this Court under the seal of said Circuit Court, whatever omissions and errors shall be found.- On consideration whereof it is now here ordered and adjudged by this Court, that a writ of certiorari be and the same is hereby awarded to be issued forthwith, and to be directed to the judges of the said Circuit Court commanding them that searching the record and proceedings aforesaid they forthwith certify to this court under the seal of the said Circuit Court, whatever omissions and errors shall be found in this cause and return the same with the said writ of certiorari forthwith to this Court.

Per Curiam. Chief Justice Waite.

652 | Charles Morgan Plff in Error, vs. The State of Louisiana. | The motion of Mr. J. L. A. Fellows to advance this cause was submitted to the consideration of the Court by him in support of the same. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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777 | Paxson Kitchen Appellant vs. Edmund D. Randolph. | Mr. J. H. Ashton filed motion to vacate the supersedeas and for increase of penalty of appeal bond in this cause.

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93 | Selucius Garfield of &c. Appellant vs. The United States. | Mr. E. C. Ingersoll by leave of the Court filed motion to reform the judgment entered in this cause on the 8th of May last.

Louis Rose
188 vs. Pltff in Error
Frank T. Case,
receiver of the First
National Bank of
New Orleans.

In error to the
Circuit Court of
the United States
for the District
of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and on the authority of the plaintiff in error, on file, and motion of Mr. T. J. Durant it is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed with cost.

Per Mr. Chief Justice Waite

Mrs. Mary E. S. Mackie
764 vs. Pltff in Error
Benjamin S. Story

Mr. T. J. Durant
on behalf of
Mr. George L. Bright
of counsel for

the plaintiffs in Error, suggested the death of Mrs. Mary E. S. Mackie, one

of the plaintiffs in error in this cause, and moved the Court for leave to enter the appearance of Dr. James Monroe Mackie, Benjamin Story Mackie, and Fergus Monroe Mackie legal representatives of said Mrs. Mary E. S. Mackie deceased, as parties plaintiffs in error in this cause. On consideration whereof it is now here ordered by the Court that Dr. James Monroe Mackie, Benjamin Story Mackie, and Fergus Monroe Mackie legal representatives of Mrs. Mary E. S. Mackie, deceased as aforesaid be, and they are hereby entered as parties plaintiffs in error in this cause in place of said decedent with liberty to prosecute this writ of error.

George F. Kelly
1- vs. Complainant,
The City of Providence

On a certificate of division in opinion between the judges of the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on

the transcripts of the record from the Circuit Court of the United States for the District of Rhode Island and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the Act of Congress in such case made and provided, and on the stipulation of Counsel for the respective parties on file it is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby, dismissed each party paying their own costs. Whereupon it is now here ordered, adjudged and decreed by this Court that it be so certified to the said Circuit Court

per Mr. Chief Justice Waite.

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2. John R. Smith vs. Pff in Error The United States. | In error to the Supreme Court of the Territory of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington and on the consents of the respective counsel in open court, it is now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed.

Per Mr. Chief Justice Waite.

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3. Wm. H. Gaines vs. Pelff in Error, J. C. Hale & L. L. Reator

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. M. Rose, and by Mr. James Hughes of counsel for the plaintiff in error and by Mr. P. P. Stanton Messrs. Pike and Johnson and Mr. J. B. Sanborn of counsel for the defendants in error.

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11 Richard C. Kimball et al vs. Pliffs in Error, William F. Evans et al.

This cause was submitted to the consid-

eration of the
Court on the record and printed ar-
guments by Mr. A. C. Paine of Counsel for
the defendants in error with leave
to plaintiffs in error to file brief by
1st of December and also leave to
defendants to file reply brief by
the 10th of December next.

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5. The Keystone Bridge Co
vs. Appellants
The Phenix Iron Co pig

On motion of
Mr. W. D. Baldwin
and stipulation
of Counsel on
file it is now here ordered by the Court
that this cause be and the same is
hereby dismissed, to the cost of
the docket

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6 George D. Snow impleaded
with P. B. Clark Exec'r &c
vs. Plff in Error
George H. Chapman Exec'r &c

This cause
was argued
by Mr. W. P.
Clough of
Counsel for

the plaintiff in error and by Mr. J. J.
Durant of Counsel for the defendant in

error.

Peyton Grimes
vs. Appellant
Dallas Sanders, Admt. &c
et al.

The argument of this cause was commenced by Mr. Leigh Robinson of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday October 11th 1876.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Clinton Rice it is ordered that William L. Nugent Esquire of Jackson, State of Mississippi be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. L. Stanton it is ordered that Peter L. Voorhees, Esquire of Camden State of New Jersey be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. Conway Robinson it is ordered that William J. Robertson, Esquire of Charlottesville, State of Virginia and R. Ross Perry, Esquire, of Washington City, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Smith, it is ordered that Josiah H. Hubbard, Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Charles Morgan
652 vs Pltff in Error
The State of Louisiana

On consideration of the motion of Mr. J. D. K. Fellows to advance this cause, it is now here ordered by the court that said motion be and the same is hereby denied.

George W. Whelen
103 vs Pltff in Error
John Sedgwick,
Assignee &c,

On motion of Mr. P. Phillips leave is hereby granted him to file stipulation of counsel in this cause, which is ordered to be printed and made part of the record.

Solomon L. Hoge
Comptr. Gen. &c
674 vs Appellant
The Richmond and Danville R. R. Co.

The motion to advance this cause and assign a day for argument was submitted to the consideration of the court by Mr. William Stone in support of the same.

Wednesday October 11th 1876 Continued.

Peyton Grymes	The argument of this
J. vs. Appellant	cause was continued
Dallas Sanders	by Mr. E. S. Stanton
Admr &c et al.	and Mr. Geo. M. Dallas
	of counsel for the

appellees and concluded by Mr. C. Robinson of counsel for the appellant.

The State of South Carolina	The argument
J. Orig. vs. Complainant	of this cause
The State of Georgia et al.	was commen
	ced by Mr.

M. H. Trescott of counsel for the complainants.

Proclamation being made the Court is adjourned until tomorrow at twelve oclock

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Thursday October 12th 1876

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

The State of South-Carolina
Orig. vs. Complainant.
The State of Georgia et al.

The argument of this cause was continued by Mr. S. F. Phillips Solicitor General of Counsel for the defendants and concluded by Mr. P. Phillips of Counsel for the complainant.

	Gideon Putnam et al	Ordered by the
8	vs. Appellants.	Court that this
	Chas. E. Bell, Trustee &c	cause be, and
		the same is

hereby passed, subject to provisions of section 7 Rule 26.

	The Chesapeake & Ohio	Ordered by the
	Railroad Company	Court that this
9	vs. Pff in Error.	cause be, and
	Samuel H. Early	the same is
		hereby passed

for the present.

	Washington Ford	Ordered by the
11	vs. Pff in Error	Court that this
	James Surget	cause be and
		the same is hereby

passed subject to provisions of section seven, Rule twenty six

	Catharine F. Sawin, Admx &c	This cause
14	vs. Pff in Error	was submitted
	Dennis G. Kenney	to the consideration of the Court,

on the record and printed argument by Mr. A. H. Garland of counsel for the defendants in error.)

James Dunlap and Thomas P. McCann, Appellants. vs. John Dymond, James Lally, as Dymond & Lally and Margaret S. Gray Henry R. Doyal, and Virginia Minor. | Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is prepared to argue the same. it is considered by the Court that this cause should be dismissed at the cost of the appellant pursuant to the 16th rule

of this Court. Whereupon it is now here ordered adjudged and decreed by this Court that this cause be and the same is hereby dismissed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court, to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

The City of Memphis,
17 vs. Appellant.
The U. S. ex rel J. E. Brown.

Ordered by the Court that this cause be, and the same is hereby, passed until after first of January next.

Reuben S. Holmes and
Marshall Barnhardt,
18 Vs. Plffs in Error.
James F. Johnson, Assignee
in Bankruptcy of
G. F. Earl.

North Carolina.

Error to the Circuit Court of the United States for the Western District of

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of North Carolina and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the cost of the plaintiffs in error pursuant to the 16th rule of this Court. Whereupon it is now here ordered and adjudged by this Court that this cause be and the same is hereby dismissed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

19

John G. Blount
vs. Pff in Error.
R. C. Windley.

Ordered by the Court that this cause be, and the same

is hereby passed, subject to provisions of section 7. Rule 26.

	Thomas E. Williams et al.	Ordered by
20.	vs. Appellants	the Court,
	Thomas B. Florence et al.	that this
		cause be,

and the same is hereby, passed subject to provisions of section 7. Rule 26.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday October 13th 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne.
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay, Esquire, Marshal,
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. P. Lynde it is ordered that Edwin D. Northrop Esquire of Ellicottsville, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips it is ordered that Charles A. Davenport Esquire of Brattleboro' State of Vermont, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex-parte, In the matter of Richard S. Parks, Orig.l Petitioner

8.

Mr. William Green of Counsel for petitioner by

leave granted filed petition for writ of Habeas Corpus, in this cause, and submitted the same to the consideration of the Court on printed arguments in support thereof. Whereupon this Court now, being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Catharine F. Sawin, Adm'rx Plff in Error

14. vs.

Dennis C. Kenney.

On motion of Mr. D. Corvine leave is hereby

granted him to file brief in behalf of

plaintiff in error in this cause by 1st of December next.

Lee Dunlop
21 W. Appellant.
The State of North Carolina.

Appeal from the Circuit Court of the United States for the Eastern Districts of North Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North-Carolina, and it appearing to the Court that this is the second term at which this cause has been called for argument and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the cost of the appellant pursuant to the 19th rule of this Court. Whereupon it is now here ordered, adjudged and decreed by this Court that this cause be, and the same

is hereby dismissed with costs and that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

John M. Miller
22 vs. Pff in Error.
Wells Fargo & Company

In error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah and on the authority of the plaintiff in error on file, it is now here ordered and adjudged by this Court, that the writ of Error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

Cornelius Storm et al
23 vs. Pffs in Error.
The United States.

This cause was submitted to the consideration of the Court, on

printed argument by Mr. Assistant Attorney General Smith, of counsel for the defendant in Error, with leave to Mr. D Corwine to file briefs for plaintiffs in Error by First of December next.

John C. Carr et al
95 vs. Pl'ffs in Error.
J. Wilcox Brown et al.

Ordered by the Court that this cause be, and the same is hereby continued to the next term. (per agreement of counsel)

Harvey Ferry
30 vs. Appellant
The Bank of Commerce
and
Harvey Ferry
31 vs. Appellant,
The Merchants and Planters Bank

These cases were argued by Mr. Harvey Ferry the plaintiff in Error & by Mr. A. J. Akerman of Counsel for the defendant in Error

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(Mr. Justice Swayne did not sit in the argument of these cases.)

The United States 32. vs. Pfff in Error. Antonio Joseph.	Ordered by the Court that this cause be, and the same is hereby

passed, subject to provision of section 7 Rule 26.

The United State. 33 vs Pfff in Error Juan Sanlisevan.	Ordered by the Court, that this cause be and the same is hereby

passed subject to provision of section 7 Rule 26.

Irving M. Fuller et al. 34. vs. Pfff in Error. N. B. Claflin et al	This cause was submitted to the consideration of the Court

on the record and printed arguments by Mr. Benj. F. Duval of counsel for the plaintiffs in Error, and by Mr. Isaac Dayton for the defendants in Error.

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539 J. C. Matthewson vs. Wm B. Guliak, Thomas S. Cavender, J. P. Southern, Thomas C. Dunn, Comptroller General of the State of South Carolina, W. H. Wise, S. M. Baird, and The Graniteville Manufacturing Company.

Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and on the motion of Mr William Stone of counsel for the appellant, it is now here ordered adjudged and decreed by this Court, that this appeal be and the same is hereby dismissed with cost.

Per Mr. Chief Justice Waite.

	William H. Goodrich & Heyman H. Potter	In error to the Circuit Court of the United States for the Southern District of Georgia.
117	vs. Pltffs in Error.	
	John N. Beach, (J. N. Beach & Company)	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and on the motion of Mr. A. T. Akerman of counsel for the plaintiffs in Error, it is now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed with cost.

per Mr. Chief Justice Waite.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday October 16th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller, Associate
David Davis Justices
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay, Esquire Marshal.
Daniel Wesby Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. J. H. Ashton it is ordered that William White Whitbank, Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

On motion first made to the Court in this behalf by Mr. P. Phillips it is ordered that John Finney, Esquire, of New Orleans, State of Louisiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. W. Finney, it is ordered that William E. Carter Esquire of Prairieville, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. John Selden, it is ordered that S. Griffin, Esquire, of Liberty, State of Virginia, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

	William M. Gaines, Maria Gaines, Albert Belding, Henry Belding, George Belding & John Trussell, assignee in bankruptcy of William M. Gaines.	In error to the Supreme Court of the State of Arkansas.
3.	vs. Plffs in Error.	
	John C. Hale & Henry M. Rector.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Bradley.

	Solomon L. Hoge Compt'r General &c.	On consideration of the motion of Mr. William Stone. to advance this cause and assign
674	vs. Appellant.	
	The Richmond & Danville R. R. Co.	

a day for argument, it is now here ordered by the court that said motion be and the same is hereby denied.

Per Mr. Chief Justice Waite.

Angelina Amory.	Appeal from
Oct. No. Appellant.	the Circuit
Samuel B. Amory &	Court of the
John Amory. & Samuel	United States
B. & John Amory, as	for the East
Executors of James	ern District
Amory, deceased.	of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and it appearing to the court, that the appellant has failed to comply with the order of this court, entered on the first day of May last, requiring an increase of the bond for costs in this cause. it is thereupon on motion of Mr. S. U. Pinney of counsel for the appellees ordered adjudged and decreed, by this Court, that, this appeal be,

and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite.

The Alexandria and Washington Railroad Company,
867 vs. Appellant.
Charles M. Wilkes, Benjamin & Joseph Thornton, Walter Lenox and Geo. W. Riggs & Rockhopkins John Elliott & H. C. Beales partners as Riggs & Company.

Mr. John Selden as counsel for the appellees having filed and read in open Court the following certificate to wit:

In the Supreme Court of the District of Columbia. October 16th 1876.

The Alexandria & Washington Railroad Company - Complainants
vs.
Charles Morris Wilkes, Benjamin and Joseph Thornton, Walter Lenox & Geo. W. Riggs Adolphus Rockhopkins, John Elliott & Whitmore C. Beales, Bankers, and partners

In Equity No. 2866.

as Riggs & Company defendants.

I hereby certify that on the 9th of February 1876. the complainant by its solicitors, Messrs Merrick and Morris, duly sued out an appeal to the Supreme Court of the United States from the decree of the General term of the said Supreme Court of the District of Columbia, entered in said cause on the 12th day of February 1876. and that the said appeal was allowed by said Supreme Court of the District of Columbia.

Witness my hand and the seal of said Court, this 16th day of October 1876.

Seal.

R. J. Meigs
Clerk of the Supreme Court
of the District of Columbia.

and having stated that the said appellant had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal - now here moved the Court in pursuance of the 9th rule of this Court, to have this appeal from the Supreme Court of the District

of Columbia, docketed and dismissed.—
On consideration whereof it is now
here ordered, adjudged and decreed
by this Court, that this appeal from
the Supreme Court of the District of
Columbia be and the same is hereby
docketed and dismissed with Costs.
And that this cause be, and the
same is hereby, remanded to the said
Supreme Court to be proceeded in
according to law and justice.

(per Mr. Chief Justice Waite.

Parsons Kitchen
777 vs Appellant.
Edmund D. Randolph.

The motion to vacate the supersedeas in this cause was argued by Mr. J. H. Ashton in support of the same, and by Mr. Samuel Dickson and Mr. Wayne McVeagh in opposition thereto.— The motion for increase of bonds submitted.

Charles Morgan
652 vs Plff in Error
The State of Louisiana.

This cause was submitted to the consideration of the Court

on the record and printed arguments by Mr. H. J. Leovy of counsel for the plaintiff in Error, and by Mr. J. D. A. Fellows for the defendant in error, under the 20th rule.

Frederick P. Sawyer
1882 vs. Appellant
Joseph Weaver.

Mr. G. W. Pascal of counsel for the appellant suggested the death of Frederick P. Sawyer the appellant in this cause and moved the Court for leave to enter the appearance of Eunice S. B. Sawyer, administratrix of Frederick P. Sawyer, deceased, as the appellant in this cause. On consideration whereof it is now here ordered by this Court, that Eunice S. B. Sawyer, admrx. of the said Frederick P. Sawyer, deceased, as aforesaid be and she is hereby entered and made the party appellant in this cause, in place of the said Frederick P. Sawyer, deceased, with liberty to prosecute this appeal.

The President, &c of the Chemung Canal Bank
35 vs. Pltff in Error
G. Lowrey et al.

This cause was argued by Mr. W. P. Hyman of Counsel for the plaintiff in error, and by Mr S. M. Penney for the defendant in error.

John L. Hurst,
36 vs. Pltff in Error
The Western and Atlantic R. R. Co.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. Cooper of Counsel for the plaintiff in Error, and by Mr. John Baxter for the defendant in error.

The Home Insurance Company, of New York
37 vs. Pltff in Error
The City Counsel of Augusta.

Ordered by the Court that this cause be, and the same is hereby, passed subject to provision of section 7. Rule 26.

The Board of Commissioners of Tippecanoe County.
39. vs. Pfff in Error.
Martin Lucas, treasurer.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. Baird of counsel for the plaintiffs in Error and by Mr. R. H. Chase and Mr. J. H. Coffroth for the defendant in error.

Frederick Birdsall et al.
111. vs. Pfff in Error.
C. C. Coolidge

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. J. Killgore of counsel for the plaintiffs in Error and by Mr. A. H. Evans for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve oclock.

Tuesday October 17th 1876.

Pursuant to adjournment the Court met, today at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. F. Blair it is ordered that Daniel F. Jewett, Esquire, of St Louis State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Amasa T. C. Dodge
878 Vs. Appellants
The Freedmans Savings
& Trust Co., Jacob S. Ladow
& Orville D. Vaughan, part-
ners as J. S. Ladow & Co.
J. S. Jones & J. E. Kendall.

Mr. Enoch Totten
of counsel for the
appellees having
filed and read
in open court
the following
Certificate to wit:

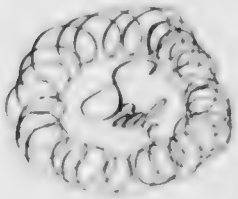
"In the Supreme Court of the District of Colum-
bia –

Amasa T. C. Dodge
vs
The Freedmans Savings
& Trust Company Jacob
S. Ladow and Orville
D. Vaughan, partners
doing business under
the firm name of
J. S. Ladow & Co.,
J. S. Jones & John E. Kendall.

In Equity
No. 4011.

I, R. J. Meigs, Clerk of the
Supreme Court of the District of Columbia
do hereby certify that in the above en-
titled cause heretofore pending in this

Court, the decree of said Court in Gener-
al Term was rendered, dismissing the
bill in said cause, on the 19th day of
February A.D. 1876, and that on the 10th
day of April 1876 an appeal was taken
and allowed from said decree to the
Supreme Court of the United States by the
said Complainant.



"Witness my hand and the
seal of the said Court, this
16th day of October 1876.

R. J. Meigs, Clerk S.C.D.C.
by R. J. Meigs jr Asst Clerk"

And having stated that the appellant
had altogether failed to file the record
of said cause in this Court, or in any
way to prosecute said appeal, now here
moved the Court, in pursuance of the
9th rule of this Court, to have this
appeal docketed and dismissed. On
consideration whereof it is now here
ordered adjudged and decreed by this
Court, that this appeal from the Supreme
Court of the District of Columbia be,
and the same is hereby, docketed and

dismissed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite

Isaac S. Hunt
vs. Appellant.
D. M. Hollingsworth.

Mr. James Lowndes presented the certificate of the Clerk and moved the Court under the 6th rule to have this appeal from the Circuit Court of the United States for the Eastern District of Texas rejected and dismissed. Whereupon this Court not being now here sufficiently advised of and concerning what order to enter in the premises took time to consider.

Francis O. French
142 vs. Plff in Error.
Robert W. Fyan.

This cause was argued by Mr. D. T. Jewell of Counsel for the plaintiff in Error and by Mr. M. Blair for the defendant in error.

	Samuel J. Sherman et al	Ordered by the
113	vs. Pffs in Error	Court that this
	D. S. K. Buick	cause be, and the
		same is hereby,

passed subject to the provision of section 7. Rule 26.

	Edward F. Noyes	In Error to the Cir
111	vs. Pffs in Error	cuit Court of the
	Lewis Heilzel, Collr	United States for the
	&c. of Internal Revenue.	Southern District of
		Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the motion of Mr. Assistant Attorney General Smith of Counsel for the defendant in error, stating that the matters in controversy in this cause have been agreed and settled between the parties, it is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed

with costs.

per Mr. Chief Justice Waite.

Daniel Weber	In Error to the
115 vs. Pfff in Error.	Circuit Court of
Richard B. Pullen	the United States
Collector of Internal Revenue.	for the Southern
	District of Ohio,

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the motion of Mr Assistant Attorney General Smith, of Counsel for the defendant in Error, stating that the matters in controversy in this cause have been agreed and settled between the parties, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

T. B. Disney.
116 vs. Pff in Error
R. B Pollard, Col.
Collr of Internal Revenue

In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and on the motion of Mr. Assistant Attorney General Smith of counsel for the defendant in Error, stating that the matters in controversy in this cause have been agreed and settled between the parties it is now here ordered and adjudged by this Court that the writ of Error in this Cause be and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

The Steamboat "Atlas" &c
117 vs. Appellants.
The Phoenix Insurance Comply.

Ordered by the Court that this cause be and the same is

hereby passed until tomorrow.

Horace B. Claflin
48 vs. Pfffin Errot.
Julius Houseman, Assignee.

Ordered by the Court that this cause be, and the same is hereby, passed, subject to provision of section 7. Rule 26.

Mary Ryan et al.
51 vs. Pfffin Errot.
Henry S. Carter et al

This cause was argued by Mr. D. F. Jewett of Counsel for the plaintiffs in Errot, and by Mr. M. Blair of counsel for the defendants in errot.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday October 18th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

The Steamboat 'Atlanta'
47 vs. Appellants
The Phoenix Insurance Co.

On motion of counsel leave is hereby granted to file additional briefs in this cause within three weeks from this date.

The Steamboat "Atlas" &c
47 vs. Appellants.
The Phoenix Insurance Co.

By leave of the Court the following stipulation was filed in this cause.

U. S. Supreme Court. October Term 1876.

The Phoenix Insurance Co. - libellants.

vs.

The Steamboat "Atlas" her engines &c.
The Camden & Amboy Railroad & Transportation Company. - Claimants

It is hereby stipulated by and between the respective parties in this cause as follows

1. The appeal taken by the claimants to this Court from the United States Circuit Court for the Southern District of New York is waived so as to bring up before the Court on the argument of this cause on the Cross-Appeal only the question of law as to whether libellants are Entitled to recover the whole amount of the damages instead of one half.

2. The parties agree that the collision mentioned in the libel and proceedings in this cause occurred by the mutual

faults of the Steamboats "Atlas" and "Kate"

3.- The libellants waive and abandon the assignments of Errors and the claim that the decree of the Circuit Court should be reversed on the ground that the "Atlas" only was in faults and rely only on the assignments of Error that the decree should have been for the whole amounts of the damages sustained by them instead of for only a moiety thereof- and the only question to be submitted to the Court is the question of law, whether the "Atlas" is liable for the whole amount of libellants damages.

Wm Allen Butler,
Advocate

Dated Washington Oct. 18. 1876.
Butler, Stillman & Hubbard,
Libellants Proctors.

W.R. Beebe Proctor
For claimants & advocate.

The Steamboat "Atlas" &c,
vs.
The Phoenix Insurance Co.
Appellants

The argument of this Cause was commenced by Mr. Wm Allen Butler of counsel for the Phoenix

Insurance Company the appellant on cross appeal, continued by Mr. W. R. Beebe, of counsel for the Steamboat 'Allay' and the appellee, and concluded by Mr. Butler for the Insurance Company.

Mr. Justice Bradley having been of counsel did not sit during the argument of this cause.

Mm F. White et al.
vs. Pltffs in Error
Nicholas Luning

Ordered by the Court, that this cause be, and the same is hereby,

dismissed with costs, pursuant to the stipulation filed herein.

Thomas Beaver
vs. Pltff in Error
S. Stark Taylor et al

This cause was submitted to the consideration of the Court

on the record and printed argument by Mr. Lyman Trumbull, of counsel for the defendants in Error. No counsel appearing for plaintiff in Error.

North Wisconsin Railway Co
551 vs Pff in Error.
The Board of Supervisors of the County of Brown et al

Ordered by the Court, that this cause be and the same is hereby passed

until tomorrow.

Michael O'Hara et ux
53 vs Appellants.
John G McConnell et al, Assignees.

This cause was submitted to the consideration of the Court, on the record and printed argument by Mr. J. W. Kirkes of counsel for the appellants. No counsel appearing for the appellees.

The United States
511 vs Pff in Error.
Leo L. Ferrary et al.

This cause was argued by Mr. Assistant Attorney General Smith of counsel for the plaintiff in error and submitted on printed argument by M. E. C. Camp of counsel for the defendant in Error.

Thomas E. Williams et al
20 vs Appellants.
Thomas B. Florence et al.

On motion of Mr. W.D. Davidge it is ordered

that John Morris Executor of Thomas B. Florence be, and he is hereby entered and made one of the parties appellee in this cause in place of said Thomas B. Florence, deceased, as aforesaid with liberty to resist this appeal.

Patrick H. Post
55 vs. Appellant.
Charles Gallaher,

This cause was submitted to the consideration of the Court, on the record and printed argument by Mr. A. H. Garland of counsel for the appellant and by Mr. H. M. Rose of counsel for the appellee.

Proclamation being made the Court, is adjourned until to morrow at twelve o'clock.

Thursday October 19th 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present,

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis } Associate Justices.
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay, Esquire, Marshal.
Daniel Ashley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court, in this behalf by Mr. Matt H. Carpenter it is ordered that J. Barrett Carew, Esquire of Charleston State of South Carolina, and George M. Brandt of Chicago State of Illinois be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Mary M. Anderson
vs. Appellant
Archibald R. Campbell
Admr. of A.K. Williams, decd

Mr. J. A. Buchanan presented the certificate of the Clerk and moved the Court, under the 9th rule that this appeal from the Circuit Court of the United States for the Eastern District of Texas be docketed and dismissed. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises, took time to consider.

The West Wisconsin R.R.Co.
55 vs. Plff in Error.
The Board of Supervisors of
Trempealeau County

Ordered by the Court, that this cause be and the same is hereby passed

until tomorrow.

Daniel R. Brandt,
56 vs. Appellant.
The Virginia Coal & Iron Company.

Ordered by the Court, that this cause be and the same is hereby passed until

tomorrow.

	The Town of South Ottawa	Ordered by
58	vs. Pltff in Error	the Court that
	Noah C. Perkins	these cases
	and	be and
	The Board of Supervisors	the same
	of Kendall County	are hereby
59	vs. Pltff in Error	passed until
	Augustus S. Post	tomorrow.

	Arthur Hughey et al	This cause was
60	vs. Pltff in Error	submitted to the
	The Milwaukee National	consideration of
	Bank of Wisconsin	the Court on the

record and printed arguments by Mr. H. M. Finch of Counsel for the defendant in Error. - No Counsel appearing for the plaintiff in Error.

	The United States	This cause was
61	vs. Pltff in Error	submitted to
	B. Lavienie et al Ext.	the consideration

of the Court on the record and printed arguments

by Mr. M. Lamprey of Counsel for the defendants in Error. No Counsel appearing for the plaintiff in Error.

Stephen V. Thompson Bird, Executors &c. 62 vs. Pliffs in Error. The Louisiana State Bank.

This cause was argued by Mr. F. J. Durant of Counsel for the defendant in Error, and submitted on printed argument by Mr. E. J. Merriam and Mr. G. W. Race of Counsel for the plaintiff in Error.

John S. Shaw. 63 vs. Appellant. The United States.

Ordered by the Court, that this cause be and the same is hereby postponed to the foot of the docket.

Frederick H. Ashman 64 vs. Plff in Error. Thomas Spooner, late Collector of Internal Revenue.

In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and it appearing to the Court that the matters in controversy in this cause have been agreed and settled between the parties, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

John Good
65 vs Pltff in Error.
Silas Martin.

Ordered by the Court that this cause be and the same is hereby postponed to the foot of the docket.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday October 20th 1876.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John J. Mabry, Esquire, Marshal.
Daniel Hosley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court, in this behalf by Mr. H. Pennt Clarke, it is ordered that Daniel D. Chard, Esquire, of Webster City, State of Iowa, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. S. Kentle, it is ordered that John Van Santvoord, Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. Lyle Dickey, it is ordered that George Herbert, Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

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61. The United States vs. Alffe in Error, B. Lariviere et al, Clmts. | On motion of Mr. Assistant Attorney General Smith leave is hereby granted him to file brief in behalf of the plaintiff in Error in this cause.

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63 John S. Shaw vs. The United States. Appellant | On motion of Mr. Casey it is ordered that the order

entered postponing this cause to the foot of the docket be stricken out and that the cause be passed subject to provision of section 7. Rule 26.

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52 The West Wisconsin Railway Company vs. Pff in Error
The Board of Supervisors of Trempealeau County.

The argument of this cause was commenced by Mr. P. L. Spooner of counsel for the plaintiff in Error continued by Mr. S. U. Pinney of counsel for the defendant in Error and concluded by Mr. Matt. H. Carpenter of counsel for the plaintiff in Error.

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56 Daniel R. Brandt Appellant vs.
The Virginia Coal and Iron Company

The argument of this cause was commenced by Mr. George W. Brandt of counsel for the appellant and continued by Mr. E. W. Blanchard of counsel for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

Monday October 23d. 1876.

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable	Morrison R. Waite	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	David Davis	Justices
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt	

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Philip Phillips it is ordered that John Nelles Young, Esquire, of Sacramento, State of California be admitted to practice as an attorney and counselor of this Court and he was sworn accordingly

On motion first made to the court in this behalf by Mr. Solicitor General Phillips it is ordered that E. N. Kensmueller Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. C. K. Krum, it is ordered that J. D. Stevenson, Esquire, of St. Louis, and John K. Cravens, Esquire of Kansas City, State of Missouri, be admitted to practice as attorneys and counsellors of this court and they were sworn accordingly.

Irving W. Fuller and D. A. McKibben, late partners as Fuller and McKibben,

314 Vs. Plffs in Error,

Horace B. Claflin & Co

In error to the District Court of the United States for the Western District of Kansas.

This cause came on to be heard on the transcript of the record from the District

Court of the United States for the Western District of Arkansas and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, reversed with costs. And that this cause be and the same is hereby, remanded to the said District Court for further proceedings to be had therein in conformity to law and justice.

per Mr Justice Hunt.

Ex parte: Richard S. Parks, Petitioner | On consideration of the petition for a writ of

8 Orig.

Habeas Corpus in this cause, and of the argument of counsel thereupon had in support of the same, it is now here ordered by the Court - that said petition be, and the same is hereby, denied.

per Mr. Justice Bradley.

The New York Life Insurance Company
28. Vs. Appellant,
William C. Statham (et al)
Parmelia A. Dudley, formerly Parmelia A. Statham.

Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court. Each party paying their own costs in this Court.

Per Mr. Justice Bradley

Dissenting
Mr. Justice Clifford
" " Hunt

The New York Life Insurance Company,
-vs. Pltff in Errors
Charlotte Seymes,

In error to the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby reversed- And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice and the opinion of this Court- Each party paying their own costs in this Court.

Dissenting per Mr. Justice Bradley.
Mr. Justice Clifford
" " Hunt.

The Manhattan Life Insurance Company
188 vs. Pff in Error.)
R. S. Buck, Executor of Charles L. Buck, deceased.

In Error to the Circuit Court of the United State for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this cause be, and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity to law and justice and the opinion of this Court. Each party paying their own costs in this Court.

Dissenting, Mr. Jus Clifford. per Mr. Justice Bradley.
" " " Hunt.

The State of South Carolina
v. Orig. No. Complainant
The State of Georgia, Alphonso
Taft, Secretary of War, U.S.
A. A. Humphreys, Chief of Engineers
U.S.A. & D. N. Gilmore, Lt. Col. Engineers
U.S. Army.

Bill in Equity.

This cause came on to be heard on the original and amended bills and answers thereto and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the preliminary injunction granted in this cause be, and the same is hereby dissolved and that the bills of complaint filed herein be, and the same are hereby dismissed.

And it is further ordered that the defendants do have and recover from the complainant, the costs of this suit to be taxed by the Clerk.

per Mr. Justice Strong.

Harvey Ferry
31 vs. Appellant,
The Merchants

Appeal from the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by Counsel.- On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Miller.

(Mr. Justice Swayne was not present during the argument of this cause and took no part in the decision.)

Edward P. Smith, Exr.
of George L. Snow, deceased.
impleaded with W.H. Clark as
Executor of
John Gordon, deceased
6. vs Plff in Error)

In Error to the Circuit Court of the United States for the District

George W. Chapman
Executor of Eunice Chapman
deceased.

vs. Appellant.

of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota. and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein according to law and justice.

per Mr Justice Clifford

30 Harvey Perry
vs. Appellant.
The Bank of
Commerce.

Appeal from the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on

the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite.

(Mr. Justice Strayne was not present during the argument of this cause and took no part in the decision.)

Arthur Hughes, Charles R. Hickox & J. M. Hughes, Co-partners in Trade, The Milwaukee National Bank of Wisconsin

In Error to the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof it is now here ordered and adjudged

by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New-York

Per Mr. Chief Justice Waite.

Mary M. Anderson
890. vs. Appellant
Archibald R. Campbell
Admr. of H. H. Williams
deceased.

Mr. J. A. Buchanan of counsel for the appellant having risen and read in open Court, the following certificate to wit

"In the Circuit Court of the United States for the Eastern District of Texas in the Fifth Circuit, holding sessions at Galveston

Archibald R. Campbell,
Admr. of the Estate of
H. H. Williams, deceased.
v. Complainants
Mary M. Anderson and
Angus McNeill
Defendants

No. 37
In Equity.

Mary W. Anderson
Complainant in Cross-bill
vs.
Archibald R. Campbell adm'r
of the Estate of R. H. Williams,
deceased
Defendant in Cross-bill.

I, C. Park, Clerk of the Circuit Court of the United States for the Eastern District of Texas at Galveston do hereby certify that in the above entitled cause in which a final decree was rendered by said Court, sitting at Galveston at the regular December Term thereof, 1876, to wit, on the 19th day of January, 1876 the Hon. Thomas Morrill Judge presiding, said decree being in favor of said Archibald Campbell, as administrator of the Estate of R. H. Williams, deceased, Complainant, and against said Mary W. Anderson, defendant, and said Mary W. Anderson having applied to said Court for an appeal from the judgment of said Court, to the Supreme Court of

the United States to be held at Washington, on the second Monday in October 1876. the said Circuit Court by its order, duly entered of record on the minutes of said Court allowed said appeal, the said order being as follows.

"And the said Mary N. Anderson having prayed for an appeal to the Supreme Court of the United States, and it being decreed that a lien exists upon the land mentioned in this decree. And an appeal is allowed upon defendants entering into bond with security in the amount of Fifteen hundred dollars conditioned according to law

(Signed) Amos Morrill
Dist Judge.

Galveston, Texas.
January 17. 1876.

And afterwards to wit. at the same term, on the 2d day March, 1876, the said Court by its order duly Entered on its minutes approved the appeal bond of the said defendant Mary N. Anderson, the said order being as follows. "In the matter of Archibald R. Campbell, Admr of the

Estate of A. H. Williams dec'd

vs

Angus McNeil & Mary H. Anderson.

The defendant herein Mary H. Anderson having presented her appeal bond in this cause to this Court for its approval, and the same having been examined, and it appearing to the Court that the same is for the amount required by the order of this Court and that the sureties thereon are sufficient.

Wherefore it is ordered that said bond be and hereby is approved, and being so filed within the time prescribed by law the same shall operate as a supersedeas and stay proceedings until the determination of the appeal.

In witness of all which, I hereunto set my hand and affix the seal of said Circuit Court at the City of Galveston this 9th day of October A. D. 1876.

C. Dart Clerk U. S. Circuit Court East'n Dist Texas at Galveston.

And having stated that the said appellant had altogether failed to file the records of said cause in this court or in any way to prosecute said appeal, now here moved the Court in pursuance of the 6th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Eastern District of Texas be, and the same is hereby docketed and dismissed with costs - And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

Edward Nelson Abbott &
Arnold DeBernard Jones
who appear by his guardian ad litem
Henry M. Rhodes
891 vs. Plffs in Error,
Alfred E. Dickson

Mr. L. H. Hornor of counsel for the defendant in Error having filed and read in open Court, the following

certificate to wit:

"Circuit Court of the United States
Eastern District of Texas
Holding Sessions at Galveston.

Alfred E. Fillon
vs. Plaintiff
Edward Nelch, Abbott
L. Arnold & Menard
James who defends by
his Guardian ad litem
Henry W. Rhodes.
Defendants.

Law
No. 913.

I E. Dart Clerk of the Circuit Court of the United States for the Eastern District of Texas at Galveston do hereby certify that in the above entitled and numbered cause, brought in said Court by Alfred Fillon against Edward Nelch and in which said the said Abbott L. Arnold and Menard James, and Henry W. Rhodes as Guardian ad litem of said Menard James have been allowed by said Court

to make themselves parties defendant, a final judgment was rendered in said Court in favor of said plaintiffs and against said defendants at the regular May Term of said Court 1876, to-wit, on the 7th day of June A.D. 1876, for certain land therein sued for by the plaintiffs, and the said defendants having prayed for a writ of Error from the judgment of said Circuit Court, to the next term of the Supreme Court of the United States, to reverse the judgment of said Circuit Court, the said writ of Error was allowed by said Court, on the 26th day of June 1876, as follows: The writ of Error herein prayed for is allowed returnable to the October Term of the Honorable Supreme Court of the United States, upon defendants giving bond, within sixty (60) days in the sum of Five Hundred Dollars, conditioned according to law.

Galveston June 26, 1876

(Signed) Amos Morrill
Dist. Judge

I further certify that the bond required by said order has been duly filed.

To certify which witness my hands and seal of said Circuit Court at Galveston,

Oct. 14th 1876.

C. Dark Clerk U.S.
Circ. Court
East. Dist. Texas
at Galveston

And having stated that the said plaintiff in Error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of Error, now here moved the Court in pursuance of the 9th rule of this Court to have the writ of Error in this cause docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause to the Circuit Court of the United States for the Eastern District of Texas be, and the same is hereby docketed and dismissed

with costs- And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr Chief Justice Waite.

The Gilbert & Barker Manufacturing Company
vs Appellant.
The Colemans Pneumatic Gas Works Company

Mr. S. B. Perry of counsel for the appellee having filed and read in open Court the

892

following certificate to wit:

The United States of America
The Southern district of Ohio ss.

I Thomas Andrews, Clerk of the Circuit Court of the United States for the Southern District of Ohio, hereby certify that heretofore to wit: On the first day of September A.D. 1874 a suit in Equity was commenced in said Court by the Gilbert and Barker Manufacturing Company, Complainant, against the Colemans Pneumatic Gas Works Company, Defendant; and that such

proceedings were therein had that afterwards to wit: On the 2nd day of June A. D. 1876. said cause was brought to a final hearing in said Court and a final decree rendered in favor of the said defendants

Whereupon on the day last aforesaid in open Court, the said Complainant the Gilbert and Bantes Manufacturing Company, prayed and obtained the allowance of an appeal from said decree to the Supreme Court of the United States, and afterwards to wit: on the 27th day of July A. D. 1876. filed in the Clerks office of said Circuit Court their certain appeal bond in said cause.

I further certify that no transcript of the record and proceedings in said cause has been taken out from said Circuit Court.

In testimony whereof I have hereunto set my hand and affixed the seal of said Circuit Court this 11th day

of October, A. D. 1876 and in the 101st year of American Independence.

Attest, Thomas Ambrose.
Clerk U. S. Circuit Court,
S. D. Ohio.

And having stated that the said appellant had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered adjudged and decreed by this Court, that this appeal from the Circuit Court of the United States for the Southern District of Ohio be, and the same is hereby docketed and dismissed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

The Armstrong Heater Manufacturing Company. James N. Armstrong & Stephen H. Starr. Appellants
893 vs.
The Stillwell & Pierce Manufacturing Company.

Mr. S. B. Perry of Counsel for the Appellee having filed and read in open Court the following certificate,

to wit;

"The United States of America
The Southern District of Ohio. } ss.

I, Thomas Ambrose, Clerk of the Circuit Court of the United States for the Southern District of Ohio, Hereby certify that heretofore to wit; on the 29th day of January A.D. 1873, a suit in Equity was Commenced in said Court by the Stillwell and Pierce Manufacturing Company Complainant, against the Cincinnati Gas Light and Coke Company, The Armstrong Heater Manufacturing Company, James N. Armstrong and Stephen H. Starr, defendants, and

that such proceedings were therein had that afterwards, to wit, on the thirtieth day of May A.D 1876, said cause was brought to a final hearing in said Court and a final decree rendered in favor of the said complainant.

Whereupon on the day last aforesaid, in open Court, the said defendants the Armstrong Heater Manufacturing Company, James A. Armstrong and Stephen H. Starr prayed and obtained the allowance of an appeal from said decree to the Supreme Court of the United States, and afterwards to wit, on the sixth day of June A.D. 1876. filed in the Clerk's Office of said Circuit Court their certain appeal bond in said cause.

I further certify that no transcript of the Record and proceedings in said cause has been taken out from said Circuit Court,

Seal

In testimony whereof I have hereunto set my hand and affixed the seal of said Circuit Court, this 14th day

of October A. D. 1876.

Attest. Thos Ambrose
Clerk U.S. Circuit Court
S. D. Ohio.

And having stated that the said Appellants had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered adjudged and decreed, by this Court that this appeal from the Circuit Court of the United States for the Southern District of Ohio, be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court, to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

John G. Tameling
73. vs. Piff in Error,
The U. S. Freehold and
Emigration Company.

On motion of Mr. Readington it is ordered that this cause be passed when reached in the regular call of the docket.

The Lake Superior and
Mississippi R. R. Co
187. vs. Appellants.
The United States.

The A. T. & Santa Fe. R. R. Co.
678 vs. Appellants
The United States

The United States
672. vs. Appellants
Cates A. Ames, Exc'r &c

Mr. Solicitor General Phillips filed and submitted to the consideration of the Court, motion to advance these cases, Whereupon this Court, not being now sufficiently advised of and concerning what order to render in the premises doth take time to consider.

The Central Pacific R. R. Co.
80 vs. Plff in Error.
The United States

On motion of Mr. Solicitor General Phillips it is ordered that this cause be passed when reached in the regular call of the docket.

Charles Harrison, Assignee &c.
297 vs. Appellant,
A. T. Stewart et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward McCrary and Mr. Edward McCrary, jr. of counsel for the appellant, and by Mr. Samuel Lord jr. for the appellees under the 20th rule.

Joseph W. Stanton et al
159 vs. Plffs in Error,
James K. Embry, Adm.r &c.

Mr. C. W. Porter of counsel for the plaintiffs in Error, filed agreement of counsel to amend the record in this cause.

Daniel R. Brandt
56 vs. Appellant
The Virginia Coal & Iron Company

The argument of this cause was continued by Mr. E. W. Blanchard of counsel for the appellee, and concluded by Mr. J. J. McKinnon of counsel for the appellant.

Daniel R. Brandt
56. vs. Appellant.
The Virginia Coal & Iron Company

Ordered that leave be granted Mr Blanchard to file brief on or before the 4th of November, and also to Mr. McKinnon until the 8th of the same month to file reply thereto.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Tuesday October 24th 1876.

Pursuant to adjournment the Court met today at the Capital

Present.

The Honorable Morrison R. Waite — Chief Justice
Nathan Clifford — Associate Justices
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire, Marshal
Daniel Ridgely Middleton Clerk

Proclamation being made the Court is opened.

The Atlantic Gulf Railroad Company
622 vs. Writ in Error
The State of Georgia

Mr. Albert Pike submitted to the consideration of the Court motion to advance this cause. Whereupon this Court not being now sufficiently advised of and concerning

what order to render in the premises took time to consider.

	Edward A. C. Hatch	On motion of Mr.
79	vs. Plff in Error	Evarts it is ordered
	Thomas B. Coddington	that this cause be
		passed when reached

in the regular call of the docket

	The Town of South Ottawa	On motion of
58	vs. Plff in Error	Mr. Digby one
	Noah C. Perkins.	hour additional
		time allowed
	The Board of Supervisors of	on each side
	Kendall County	in the ar
59	vs. Plff in Error	gument of
	Augustus T. Post	these cases.

	The Town of South Ottawa	On motion of
58	vs. Plff in Error	Mr. S. B. Perry
	Noah C. Perkins	leave is hereby
		granted him
	The Board of Supervisors of Kendall Co.	to file printed
59	vs. Plff in Error	brief in these
	Augustus T. Post	cases tomorrow

The Town of South Ottawa
58 vs. Pltff in Error.
Noah C. Perkins
(and)
The Board of Supervisors
of Kendall County.
59 vs. Pltff in Error.
Augustus D. Post.

The argument of these cases was commenced by Mr. P. Phillips of counsel for the plaintiffs in Error and continued by Mr. B. S. Eldridge and Mr. D. Littler of counsel for the defendants in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday October 25th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay, Esquire Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Geo. P. Phillips it is ordered that Joseph H. Lawson, Esquire of Albany, State of Newyork and Roger H. Lyon, Esquire, of Newyork City, be admitted to practice as attorneys and counsellors of this Court, and they were

Sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Lyle Dickey it is ordered that William M. Haviland, Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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Nathan Greenwald et al.	Ordered by
68 vs. Plffs in Error.	the Court that
Penelope Bond Admx	this cause be
	and the same

is hereby passed subject to provision of section 7. Rule 26.

The Town of South Aurora	The argument
58 vs. Plff in Error.	of these cases
Noah C. Perkins.	was concluded
(Ed)	by Mr. J. Lyle
The Board of Supervisors	Dickey of
of Kendall County.	Counsel for
59 vs. Plff in Error.	the plaintiffs
Augustus T. Post.	in Error.

William L. McMillan
66 vs Pltff in Error
Robert H. Anderson

Ordered by the Court that this cause be, and the same is, hereby, continued to the next term

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E. C. Carrington,
67 vs. Pltff in Error
Marvin Eastwood

This cause was argued by Mr E. C. Carrington the plaintiff in Error and submitted on printed argument by Mr. S. S. Hamblen of counsel for the defendant in Error.

John L. Phipps et al.
100 vs. Appellants
John Sedgwick, Assignee &c

Barker Place & A. T. Sullivan vs
101 vs. Appellants
John Sedgwick Assignee &c

(Read)

George M. Wheeler
103 vs.
John Sedgwick Assignee &c

Ordered by the Court, that these cases be passed, when reached in the regular call of the docket.

The Home Insurance Company of New York
vs. Pltff in Error.
The Baltimore Warehouse Company.

The argument of this cause was commenced by Mr. N. C. Marshall of Counsel for the plaintiff in Error and continued by Mr. J. K. Ramsey of Counsel for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow at 12 o'clock

Thursday October 26th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller | Associate
David Davis | Justices
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Wesley Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

The Home Insurance Company of New York
vs. Pltf in Error,
The Baltimore Warehouse, Company

The argument of this cause was continued by Mr. J. H. Thomas of Counsel for the defendant in Error, and concluded

by Mr. J. J. Donaldson for the plaintiff in Error.

The County of Calhoun et al.
71 vs. Appellants.
The American Emigrant Co.

This cause was submitted to the consideration of the Court on the record by Mr. James Grant, of counsel for the appellants, and on the record and printed arguments by Mr. C. C. Nourse for the appellee.

Justus F. Dresser,
72 vs. Piff in Error,
The Missouri and Iowa Railway Construction Co.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. James Grant of counsel for the plaintiff in Error and by Mr. George G. Wright for the defendant in Error.

The County of Calhoun, Iowa
73 vs. Piff in Error,
Thomas J. Foster,

The argument of this cause was commenced

by Mr. William M. Evarts of counsel for the plaintiff in Error and continued by Mr. C. D. Stevenson for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday October 29th 1875.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. R. T. Merrick it is ordered that Isaac Townsend, Esquire, of Albany, State of New York, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

N. A. Cowdrey et al.
85 vs. Appellants.
The Galveston Houston and Henderson R. R. Co.

On motion of Mr. R. F. Merrick it is ordered that this cause be passed when reached in the regular call of the docket.

William Roemer.
267 vs. Appellant.
Edward Simon, William Simon et al.

and

William Roemer,
855 vs. Appellant.
Edward Simon, William Simon, et al.

Whereas it appears that in each of the above entitled suits now on appeal to this Court, the same person is appellant and the same persons are appellees, and that the same subject matter is involved in each of said suits, and Counsel for the appellant and counsel for the appellees having united in a written request, addressed to this Court, that the Court order said two appeals to be heard together.

Now therefore, it is ordered that,

the above mentioned appeals be heard together and that they be argued as one case, and the Clerk of this Court is directed to cause the records of said two suits to be printed and distributed at the same time when No. 267 is reached in the regular call of the docket.

Ex-parte: Robert L. Cutting jr.
Peter Marie, Frank A. Otis
Jacob Cromwell, George L. Kingsland
George R. Fearing & A. A. Cowdrey.
Orig.l Petitioners

In the matter of
George E. Ketchum et al. Petition for Mandamus
vs. Claimants
The Pacific Railroad et al.

Now on the 27th day of October A. D. 1876, on the application of H. Crawford counsel for the petitioners for a rule on the Judges of the Circuit Court of the United States for the Eastern District of Missouri, to show cause, if any they have, why

a writ of Mandamus should not issue commanding them to grant the prayer of said petitioners for an appeal in said cause, it is ordered that their petition be placed on file together with the transcript of record accompanying the same, and a rule is directed to go, returnable on the 20th day of November A. D. 1876, to the said Judges of the Circuit Court of the United States for the Eastern District of Missouri commanding them to show cause if any they have, why a writ of Mandamus shall not issue as prayed in said petition.

The County of Callaway. (Plff in Error)
70 vs.
Thomas J. Foster.

The argument of this cause was continued by Mr. J. D. Stevenson of Counsel for the defendant in Error, and concluded by Mr. W^m M. Evarts of Counsel for the plaintiff in Error.

The Home Insurance Company of New York
vs. Plff in Error
The City Council of Augusta

(Assigned.) The argument of this cause was commenced by Mr. Calvin Dutcher of counsel for the plaintiff in Error continued by Mr. William Brown of counsel for the defendant in Error and concluded by Mr. Wm M. Evarts of counsel for the plaintiff in Error.

Joseph S Shaw
vs. Appellant.
The United States

(Assigned.) The argument of this cause was commenced by Mr. Joseph Casey of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve oclock.

Monday October 30th 1876.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H Swayne
Samuel F Miller
David Davis
Stephen J. Field
William Strong
Joseph P Bradley
Ward Hunt.

Associate Justices

John G Nicolay Esquire Marshal.
Daniel Tenney Middleton, Clerk.

Proclamation being made the Court is opened

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341 Thomas Beaver vs. Riff in Error
S. Staats Taylor and
Miles A. Gilbert

In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on

the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Hunt.

The President, Directors & Company of the Chemung Canal Bank

35 vs. Plffs in Error)
Goodwin Lowery impleaded with Daniel Lowery, and Peter O. Strang.

In Error to the Circuit Court of the United States for the Western District of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by Counsel - On consideration

whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Dissenting. | Per Mr. Justice Bradley.
Mr. Justice Strong.

Mary Ryan L. S. LeBourgeois E. C. LeBourgeois, Charlotte T. Charless, William Walker, Mary Walker L. S. Rector, Thomas H. Rector, William Patum, and P. Patum vs. Pfifer in Error; Henry S. Carter and Jacob Bookes. | In Error to the Circuit Court of the United States for the Eastern District of Missouri.

57

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit

Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Davis

Francis O'French
115 vs. Plff in Error,
Robert W. Ryan, James L. Rusk & P. L. Burford

In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Miller.

Peyton Grymes.

v. Appellant,

Dallas Sanders, Admr. of
George S. Repplier, deceased,
James Lanigan & Harry T.
Repplier. Catherine Dougherty,
James L. Dougherty her husband.
Charles A. Repplier George S. Repplier
Julia Repplier, and also Imogene
Repplier, Joseph Repplier, Fannie
Repplier & Fannie Repplier
minors, by their next friend
Julia Repplier, representatives
in the realty of
George S. Repplier, deceased.

Appeal
from the
Circuit
Court of
the United
States for
the Eastern
District of
Virginia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by Counsel- On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the

same is hereby reversed with costs - And that this cause be, and the same is hereby, remanded to the said Circuit Court with direction to dismiss the bill.

per Mr. Justice Swayne.

The West Wisconsin Railway Company. Plff in Error, vs. The Board of Supervisors of Trempealeau County. | In Error to the Supreme Court of the State of Wisconsin.

52

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Swayne.

Mr. Justice Davis did not sit in this

case and took no part in the decision.)

Frederick Birdsall and George F. Lantry	In Error to the
41. vs. Plffs in Error	Circuit Court
C. C. Coolidge.	of the United
	States for the
	District of Nevada.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nevada, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court, with directions to award a venire facias de novo.

Per Mr. Justice Clifford.

777 Parsons Kitchen, Appellant, vs. Edmund D. Randolph. | On consideration of the motion to remit the expenses in this cause and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be and the same is hereby granted.

per Mr. Chief Justice Waite.

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36. John L. Kursh, Plff in Error, vs. Western & Atlantic Railroad Company. | In Error to the Circuit Court of the United States for the Eastern District of Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee and was argued by Counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit

Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Waite.

Edward C. Carrington,		In Error to the
67 vs.	Pltff in Error.	Supreme Court of
Marvin Eastwood.		the District of
		Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this Cause be, and the same is hereby, affirmed with costs, and interest until paid at the same rate per annum that similar judgments bear in the Courts of the District of Columbia.

Per Mr. Chief Justice Waite.

The Atlantic & Gulf Railroad Company.
622 vs. Pff in Error
The State of Georgia
(and)
The United States,
672 vs. Appellants,
Cotton, Otherwise Etc.

On consideration of the motions to advance these cases it is now here ordered by the Court, that said motions be, and the same are hereby denied under the rule announced in Hoge vs. Richmond & Danville R.R. Co. etc. 672 of the present term.

per Mr. Chief Justice Waite.

The Kansas Pacific and Missisippi R. R. Company.
1187 vs. Appellants
The United States.
(and)
The Atchison, Topeka and Santa Fe R. R. Company.
673 vs. Appellants
The United States.

On consideration of the motion to advance these cases it is now here ordered by the Court That said motion be and the same is hereby granted. The questions in dispute are such as to entitle the

operations of the government while they remain unsettled

Counsel may agree upon a day for the hearing, or if they cannot do so, we will upon application make such further order in the premises as may appear to be proper.

The Lake Superior and Mississippi R.R Co.
487 vs. Appellants.
The United States

(and)

The Atchison Topeka and Santa Fe Railroad Company.
(483) vs. Appellants.
The United States

On motion of the Assistant Attorney General Smith, and consent of counsel, it is ordered that these cases be assigned for argument on Tuesday the 5th of December next

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John S. Williams et al.
759 vs Plffs in Error,
The State of Louisiana,
E. Clinton, Auditor.

Mr. C. J. Tilghill moves the Court to advance this cause and assign a day for the argument of the same.

Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider

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The City of Memphis
vs.
Tallmage & Brown

Mr. P Phillips presented the certificate of the Clerk and moved the Court under the 9th rule to have this cause docketed and dismissed. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Mr. Chief Justice Waite made the following announcement to the Bar:-

"We shall meet on Monday of next week as usual to read opinions and hear motions. Counsel from abroad coming here in the expectation that their causes would be reached before that time in the regular call of the docket, shall then be present and

wish to be heard, we will continue in session to give them an opportunity for that purpose. As soon as all such cases are submitted the Court will be adjourned until Monday November 13. after which time the rules requiring the argument of causes in their order upon the docket will be rigidly enforced.

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63 Joseph S. Shaw vs. The United States. Appellant

The argument of this cause was continued by Mr. Joseph Casey of counsel for the appellant by the Assistant Attorney General Smith of counsel for the appellee and concluded by Mr. Joseph Casey for the appellant.

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73 John J. Fanning vs. The U.S. Emigration Co. Plff in Error.

Ordered by this Court that this cause be passed subject to provision of section 7. Rule 26.

James Hendrickes
75 vs Plff in Error
A. G. Lindsey et al.

The argument of this cause was commenced by Mr. Isaac Lawson of Counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Tuesday October 31st 1876.

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. H. Smith it is ordered that Joseph J. Norton, Esquire, of Walhalla, State of South Carolina be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Wm H. Arnoux it is ordered that James C. Sheffield. Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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75 James Kennedy Plff in Error
vs
A. G. Lindsey et al.

The argument of this cause was concluded by Mr. W. H. Smith of counsel for the defendants in Error.

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76. The President &c of the Bank of Kentucky Plff in Error
vs.
The Adams Express Company.
(And)
77 The Planters National Bank Plff in Error
vs.
The Adams Express Company.

These causes were argued by Mr. G. C. Wharton of counsel for the defendants in Error and submitted on printed arguments by Mr. J. M. Harlan for the plaintiffs in Error.

Maurice Dore, and Wm B. Isaacs, Exrs of Jno W. Stow. dec'd
78 vs. Appellants.
The Russell & Erwin Manufacturing Company

Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and it appearing to the Court, that the matters in controversy in this cause have been agreed and settled between the parties, it is now here ordered adjudged and decreed by this Court, that this appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

Samuel J. Sherman
113 vs. Plff in Error,
D. S. K. Smith.

(Assigned) The argument of this cause was commenced by Mr. George A. Mounce, of Counsel

for the plaintiff in Error continued by Mr. M. Bain of counsel for the defendant in Error and concluded by Mr. S. M. Wilson for the plaintiff in Error. Mr. P. Phillips submitted printed argument in behalf of the plaintiff in Error.

Horace B. Claflin
118 vs. Pfff in Error
Julius Houseman,
assignee &c.

Assigned. The argument of this cause was commenced by Mr. W. H. Arnoux of counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday November 1st 1871

Pursuant to adjournment the court met today at the capitol

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
Ward Hunt
Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the court is opened.

On motion first made to the court in this behalf by Mr W.N. Ritchie it is ordered that J. Warren Coulston Esquire of Philadelphia, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

48	Horace B. Claflin vs. Pltff in Error, Julius Houseman, Assignee &c.	The argument of this cause was concluded by Mr. W.H. Armour in behalf of the plaintiff in Error, and submitted on printed argument by Mr. B.F. Lee for the defendant in Error.

79	Edwin A. C. Hatch vs. Pltff in Error, Thomas B. Coddington and The Central Pacific Railroad Company vs. Pltff in Error, The United States	Ordered by the Court that these cases be passed subject to provision of section seven, rule twenty six.

81	James M. Barkley vs. Pltff in Error, The Board of Loco Commissioners, Parishes of Madison and Carroll.	The argument of this cause was commenced by Mr. E.T. Merrick of counsel for the plaintiff in Error and continued by Mr. C.L. Walker of counsel for the defendant in Error.

Wednesday November 1st 1876 Court met

Proclamation being made the Court is adjourned
until tomorrows at twelve oclock

Thursday November 2d 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices.
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. C. Paine it is ordered that Robert K. Smith, Esquire, of Austin, State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William Lochren

it is ordered that A. R Capehart Esquire of St Paul, State of Minnesota be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips it is ordered that Chandler B. Young Esquire of Pensacola, State of Florida be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The State of Wisconsin, Complainant vs. The City of Duluth et al | Mr. J. C. Sloan filed motion to open and place on file

6 Orig.

the depositions received and to be received by the Clerk and for construction of order in regard to taking testimony or extension of time. Whereupon it is now here ordered by the Court, that the motion to open the depositions be, and the same is hereby, denied, but the time for taking testimony is extended to the 1st of February next.

Henry A. Grant, Coll. &c
86 vs. Pfff in Error.
The Hartford & New Haven
Railroad Company.

On motion of Mr. Assistant Attorney General Smith it is ordered that this cause be passed when reached in the regular call of the docket, if reached before the recess on the 6th inst.

John S. Williams et al
759 vs. Pfff in Error.
The State of Louisiana.
Charles Clinton, Auditor &c et al.

Mr. C. W. Horner filed consent of plaintiff in Error, that this cause be advanced.

James W. Barkley
81. vs. Pfff in Error.
The Board of Levee Commissioners
Parishes of Madison & Carroll.

The argument of this cause was continued by Mr. C. L. Walker of counsel for the defendant in Error, and concluded by Mr. E. J. Womack of counsel for the plaintiff in Error.

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82. James A. Lovejoy &c. vs. Plff in Error
Carroll C. Spafford et al.

This cause was argued by Mr. Wm Lochren of counsel for the plaintiff in Error and submitted on printed argument by Mr. W. P. Bartlett of counsel for the defendants in Error.

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83 Antonio Berriegesa, Admr &c. vs. Appellant
The United States.

The argument of this cause was commenced by Mr. C. Phillips of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve oclock. ———

Friday November 3d. 1876.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite	Chief Justice
Nathan Clifford	
Noah H. Swayne	
Samuel F. Miller	Associate
David Davis	Justices
Stephen J. Field	
William Strong	
Joseph P. Bradley	
Ward Hunt	

John C. Nicolay Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. George T. Curtis it is ordered that John P. Wilson Esquire, of Chicago State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Frederick De Barry et al
564 vs. Pffs in Error
Chester A. Arthur, Coller &c.

Mr. Assistant Attorney General Smith filed and submitted motion to advance this cause. Whereupon this Court, not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Antonio Barreyesa, Adm'r &c.
83 vs. Appellant
The United States

The argument of this cause was continued by Mr. P. Phillips of counsel for the appellant, by Mr. M. Blair and Mr. S. D. Houghton of counsel for the appellee and concluded by Mr. Phillips for the appellant.

Antonio Barreyesa, Adm'r &c
83 vs Appellant
The United States.

On motion leave is hereby granted Mr Carpenter to file brief in this cause and also leave to Mr. Houghton to file reply thereto. Both.

briefs to be filed on or before the 12th of December next.

Samuel C. Cook
511 vs. Pff in Error,
The Commonwealth
of Pennsylvania.

Ordered by the Court that this cause be and the same is hereby continued to the next term. (per stipulation of Counsel.)

N. A. Cowdrey et al
55 vs. Appellants
The Galveston, Houston
& Henderson R. R. Co.

Ordered by the Court that this cause be and the same is hereby passed subject to provisions of section 7. Rule 26.

J. E. Filton et al.
88 vs. Appellants.
The Harford and
New Haven Railroad
Company.

(Substituted for No. 86.)
This cause was argued by Mr. Geo. T. Curtis. and Mr. George F. Williams of Counsel for the appellants and submitted

our printed argument by Mr Amos Stiek of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve oclock

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

In the matter of the application of Mrs. Belva A. Lockwood for admission to practice as and attorney and counsellor of this Court upon the motion of Mr. A. G. Riddle-

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Upon the presentation of this application the Chief Justice said that notice of this motion having been previously brought to his attention, he had

been instructed by the Court to announce the following decision upon it.

"By the uniform practice of the Court from its organization to the present time, and by the fair construction of its rules, none but men are admitted to practice before it as attorneys and counsellors. This is in accordance with immemorial usage in England, and the law and practice in all the States, until within a recent period, and that the Court does not feel called upon to make a change until such a change is required by statute or a more extended practice in the highest Courts of the States."

On motion first made to the Court, in this behalf by Mr. H. E. Paine it is ordered that Thomas Lathrop Kennan, Esquire, of Portage, State of Wisconsin be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. P. Phillips it is ordered

that Albert E. Redstone Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this court, and he was sworn accordingly.

On motion first made to the court in this behalf by Mr. A.A. Cowdrey it is ordered that Herbert B. Turner Esquire of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Justus F. Dresser, Plff in Error,
vs.
The Missouri & Iowa Railway Construction Company.

In Error to the Circuit Court of the United States for the District of Iowa.

72

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration

whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Iowa.

per Mr Justice Bradley.

Stephen Bird & Thompson Bird, Executors of John Bird, deceased. Plffs in Error

vs.

The Louisiana State Bank

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, - and was argued by Counsel. On consideration whereof it is now here ordered, and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby reversed

with costs. And that this cause be and the same is hereby remanded to the said Circuit Court, with directions to award a venire facias de novo.

Per Mr. Justice Bradley.

The United States
541 vs. Pltff in Error)
George L. Ferrary,
William G. Conn,
Hannum & John Alexander,
Dyers)

In Error to the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed, - And that this cause be and the same is hereby, remanded to the said Circuit

Court with directions to award a venire facias de novo.

per Mr Justice Strong

Thomas Sherlock, J. M. Shirley et al,- Composing the United States Mail Line Company

36 vs. Plff in Error

Charles Alling, Admr. of C. B. Sappington, deceased.

In Error to the Supreme Court of the State of Indiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by counsel.- On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Field.

The Board of Commissioners of Tippecanoe County, Plff in Error,
39 vs.
Martin Lucas, Treasurer of Tippecanoe County, Indiana.

In Error to the Supreme Court of the State of Indiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Indiana, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with Costs.

Per Mr. Justice Field.

The Home Insurance Company of New York, Plff in Error,
37 vs.
The City Council of Augusta Georgia.

In Error to the Supreme Court of the State of Georgia

This cause came on to be heard

on the transcript of the record from the Supreme Court of the State of Georgia and was argued by Counsel- On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Swayne.

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71. The County of Calhoun and W. T. Smith, Treasurer. vs. The American Emigrant Co. Appellant

Appeal from the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said Circuit Court, in this

cause be and the same is hereby affirmed with costs.

per Mr. Justice Clifford.

Robert H. Ober.
55 vs. Appellant.)
Charles Gallaher.

Appeal from the Circuit Court of the United States for the Eastern Districts of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Arkansas.

per Mr. Chief Justice Waite.

John S. Williams et al.
767 vs. Piffs in Error.
The State of Louisiana et al.
C. Clinton, Auditor.

On consideration of the motion of Mr. S. J. Lippett, it is now here ordered by the Court that this cause be advanced. If counsel cannot agree upon a day for its hearing the Court will fix a day upon further motion in that behalf.

Frederick De Barry et al.
561 vs. Piffs in Error.
Chester A. Arthur, Collector.

On consideration of the motion of Mr. Assistant Attorney General Smith, it is now here ordered by the Court, that this cause be advanced and assigned for argument on Monday the fourth of December next.

The City of Memphis
913 vs. Appellant & Piff in Err.
Tallmadge C. Brown.

Mr. P. Phillips of counsel for the appellee and defendant in Error

having filed and read in open Court the following certificate, to wit.

"United States Circuit Court.
Western District of Tennessee.-
Proceedings had in the Circuit Court of the United States for Sixth Judicial Circuit, there of Western District of Tennessee, at a Regular Term of said Court, begun and held for its November Term, A. D. 1875, at the Federal Court Rooms in the City of Memphis, on to wit the 20th day of May, 1876, and days subsequent thereto, in the following cause.

J. E Brown

1874/2 Vs.

City of Memphis.

In this cause on the 20th day of May A. D 1876, the defendant moved in open court, after due and legal notice to plaintiff and under the rules of the Court, to set aside the order of this Court made at the present term of this Court, and on the 2d day of March. A. D. 1876, commanding defendant to proceed to levy and collect a tax upon

all taxable property, in the City of Memphis, sufficient in amount, after allowing- etc.- to pay to J. E. Brown the sum of one hundred and twenty-five thousand dollars, and to include in the taxable property of the City on which said tax for the payment of said judgment, the taxable capital of Merchants for the year 1876, as heretofore returned and assessed by the City for taxation for other purposes and to lay the same rate of taxation thereon and to collect said taxes and pay the same on said judgment of J. E. Brown, and by consent of all parties, the defendant, the City of Memphis was committed to, and did offer and read, as a part of this motion and in support of it the Bill of Complaint, of E. M. Apperson & Co, and others against J. E. Brown and the City of Memphis in this Court, and the same was made a part of this record as Exhibit No. 1. and after hearing the said motion and Bill and arguments of Counsel the

the Court, disallows and dismisses said motion and refuses to set aside or annul said order of March 2d 1875 and re-orders the same as the final judgment of the Court, from which the defendant prays an appeal in open court and writ of Error to the Supreme Court of the United States to be held at Washington City D. C. and the same was granted conditioned on defendants giving bond with good security in the penalty of Twenty Five Thousand Dollars ($25.000) conditioned to prosecute the writ of Error to effect or pay all damages and costs if it shall fail to make good its plea, and the plaintiff waived citation notice and the filing of the writ of Error in ten days in this Court and a bond with satisfactory securities was presented and approved by the Court, and the appeal and writ of Error granted in open Court as prayed.

The United States of America
Sixth Circuit & District of West Tennessee.

I Horace E. Andrews, Clerk of the Circuit Court, of the United States for said District of West Tennessee, do hereby certify that the paper hereto attached is a full, true, perfect and correct copy of the Original Order of Court, made and entered on the twentieth day of May 1876. in said Court, as the same now appears of record and upon the files in my office in the following cause to wit:

Tallmadge E. Brown.
vs.
The City of Memphis.

No. 1874 P.

In testimony whereof I have hereunto set my name and affixed the Seal of said Court, at office in the City of Memphis, this 27th day of October A.D. 1876. and of the Independence of the United States the 101st year.

Seal.

H. E. Andrews.
Clerk
D.C.

And having stated that the said Appellant and plaintiff in Error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal or writ of Error, now here moved the Court in pursuance of the 9th rule of this Court, to have the appeal and writ of Error in this cause docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this appeal and writ of Error be, and the same are hereby docketed and dismissed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

Hale, Ayer & Co et al
779 vs. Appellants
Charles L. Frost, Trustee

Mr. James Grant filed and submitted to the consideration of the Court motion to advance

this cause. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The Chicago and Alton Railroad Company	In Error to the Circuit Court of the United States for the Southern District of Illinois.
90 vs. (Off in Error.)	
The People of the State of Illinois	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and on the motion of Mr. P. Phillips of Counsel for the plaintiff in Error, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The Chicago and Alton Railroad Company,
108 vs. Pltff in Error,
The People of the State of Illinois, Ex Rel.
The City of Bloomington.

In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the Transcript of the record from the Supreme Court of the State of Illinois and on the motion of Mr. P. Phillips of Counsel for the plaintiffs in Error, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite.

The United States
710 vs. Appellants
Benjamin Flint et al.

The United States
771 vs. Appellants
Horace W. Carpentier et al

Mr. Assistant Attorney General Smith filed and submitted to the consideration of the Court, motion to advance

The United States
772 vs. Appellants
Samuel R. Throckmorton et al

these cases where-
upon this Court
not being now
here sufficiently
advised of and concerning what order to
render in the premises took time to
consider.

M. J. & M. B. Dayton
876 - vs. Appellants
Isreal G. Lash.

On motion of Mr.
T. J. Durant it is
ordered that the
motion filed by
Mr. L. Allis to dismiss the appeal of M. J.
Dayton in this cause be, and the same
is hereby, postponed until Monday next:
then to be considered on the part of Mr.
Allis in support of said motion.

Wm. F. Cochrane et al.
744 vs. Appellants
Josiah W. Deener et al.

This cause
was submitted
to the considera-
tion of the Court
on the record and printed arguments by
Messrs Cox, Blake and Mason of counsel for
the appellants and by Messrs Merriman

and Cady, of counsel for the appellees, under the 20th rule.

Henry W. Shacket
122 vs. Plff in Error.
The Hartford Fire
Insurance Company.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. T. Burgess of counsel for the plaintiff in Error, and by Mr. George O. Dale, of counsel for the defendant in Error, under the 20th rule.

Edward C. Carrington
67 vs. Plff in Error.
Marvin Eastwood.

On motion of Mr. S. S. Hinkle it is now here ordered by the Court that the Clerk have leave to issue the mandate in this cause.

Thomas A. Osborne et al
77 & 75. vs. Plffs in Error.
The United States.

The motion filed in this cause for an order on the Clerk directing him to issue the

mandate in this cause was argued by Mr. E. S. Brown in support of the same.

On motion of Mr. Assistant Attorney General Smith, ordered that further argument of this motion be postponed until Monday next.

Proclamation being made the Court is adjourned until Monday November 13th 1876.- at twelve oclock.

Monday, November 13th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
Associate Justices.

John G. Nicolay Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. D. Davidge it is ordered that S. Edwin Day. Esquire of Moravia State of New York and Hugh W. Sheffey, Esquire of Staunton State of Virginia, be admitted to practice as attorneys and counsellors

of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. J. Durant, it is ordered that James L. Bradford, Esquire of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George W. Riddle it is ordered that Henry Green, Esquire of Easton, State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

James A. Lovejoy, impleaded with J. R. Shaw, heretofore impleaded with T. W. Farnham. Plff in Error,
82 vs.
Carroll C. Spafford and D. C. Clark, as Spafford and Clark

In Error to the Circuit Court of the United States for the District of Minnesota

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota and was argued by Coun. sel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs - And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial

per Mr. Justice Hunt

Horace B. Claflin
28 vs. Pfff in Error.
Julius Houseman,
Assignee in Bankruptcy of
D.B. Comstock & Van E. Young.

In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the record and proceedings

upon a remittitur from the Court of Appeals, and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Bradley

The United States vs. Bernard Lariviere, and Charles Grant, Claimants of Forty-three gallons of Whiskey and other property.

In Error to the Circuit Court of the United States for the District of Minnesota.

61

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause

be, and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to overrule the demurrer and to proceed in accordance with law and justice.

Per Mr. Justice Davis.

Samuel J. Sherman,
43 vs. Pff in Error,
D. S. K. Buick

In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Supreme Court with instructions to order a new trial in conformity

with the opinion of this Court.

per Mr. Justice Miller.

(Mr. Justice Field took no part in the decision of this case.)

	Michael O'Hara, and Francis A. O'Hara, his wife, in the right of said Francis A. O'Hara.	Appeal from the Circuit Court of the United States for the
53	vs. Appellants	
	John G. Macconnell and John M. Kennedy Assignees in Bankruptcy of Michael O'Hara.	Western District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the original decree of the said Circuit Court in this cause be, and the same is hereby reversed with costs. And

that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in accordance with law and justice.

Per Mr. Justice Miller.

Charles Merrion, Assignee of S. L. Merrion, H. Leiding et al
297 vs. Appellant
A. T. Stewart, Francis Wardell & George Fox, late Co partners as A. T. Stewart & Co,

Appeal from the Circuit Court of the United States for the District of South-Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by Counsel - On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with Costs. Per Mr. Chief Justice White.

M. D. Dayton, Appellant
876 vs.
Isreal G. Lash.

On motion of Mr. T. J. Durant it is ordered that the motion to dismiss the appeal of M. D. Dayton in this cause be, and the same is hereby postponed until Monday next.

The Selma and Meridian Railroad Company et al.
933 of 1876 vs. Appellants
The Louisiana National Bank of New Orleans et al.

The motion to rescind the order entered on the 24th day of February A. D. 1875 docketing and dismissing this cause and for leave to docket the same was argued by Mr. P. Phillips in support of said motion and by Mr. T. J. Durant in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Thomas A Osborn et al.	The argument
77 of 1875 — vs. Piffs in Error,	of the motion
The United States.	for an order
	directing the

Clerk to issue the Mandate in this cause was continued by Mr. E. S. Brown in support of the same, by Mr. Assistant Attorney General Smith in behalf of the United States and concluded by Mr. Brown in behalf of the motion. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The State of Florida	Mr. Birney
3 Orig! vs. Complainant	asked and
E. C. Anderson jr et al.	obtained leave
	to file motion

for an order directing the Clerk to pay over the moneys in his possession as Register in this cause, to the complainant.

The State of Florida
S. orig. vs. Complainant.
E. C. Anderson et al.

Mr. Drew asked and obtained leave to file motion for an order directing the Clerk to pay over the money in his hands as Register in this cause to the Mortgage bondholders.

Charles W. Hornor,
&c. vs. Plff in Error.
George C. Henning et al.

The argument of this cause was commenced by Mr. F. C. Cuppy of Counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Tuesday November 14th 1876.

Pursuant to adjournment the court met today at the Capital

Present.

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	David Davis	Justices.
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. John A. Wells, it is ordered that W. C. Scofield, Esquire, of Marion, State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. S. Black it is ordered that Malcolm Hay. Esquire of Pittsburg State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John G. Benson
77 vs. Pltff in Error,
Josephine DeCuer.

Mr. P. Phillips in behalf of Mr. R. H. Marr. of counsel for the plaintiffs in Error suggests the death of John G. Benson the plaintiff in Error in this cause.

Ex parte: Madison Dean
10 Orig! Petitioner,

Mr. H. F. Shiffey of counsel for the petitioner by leave filed petition for writ of Habeas Corpus and Certiorari in this cause. Whereupon this Court not being now, fully sufficiently advised of and concerning what order to render in the premises took time to Consider.

Charles H. Morrison
338 vs. Plff in Error.
Peter J. Sautin, State
tax Collector &c.

Mr J. D. McPherson of counsel for the plaintiff in Error suggests the death of Charles H. Morrison the plaintiff in Error in this cause.

Henry N. Grant Coll. &c.
86 vs. Plff in Error.
The Hartford & New Haven
Railroad Company

Stipulation of counsel amending the record in this cause filed.-

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Leonard G. Smith
95 vs. Plff in Error.
Joseph R. Payson, as
Assignee of the Republican
Insurance Company.

In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas and on the motion of Mr. J. K. A. McPherson of

counsel for the plaintiff in Error, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

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87 Charles W. Hornor, Plff in Error, vs. George C. Henning, Defl.

The argument of this cause was continued by Mr. F. P. Cuppy of counsel for the plaintiff in Error, ~~——~~ by Mr. Davidge of counsel for the defendant in Error, and concluded by Mr. Cuppy for the plaintiff in Error.

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86 (Henry A. Grant Collector vs. The Hartford & New Haven Railroad Company, Plff in Error,

(Substituted for No. 88.) The argument of this cause was commenced by Mr. Assistant Attorney General Smith of counsel for the plaintiff in Error, continued by Mr. R. D. Hubbard of counsel for the defendant in Error, and concluded

by Mr. Smith for the plaintiff in Error.

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89 Grant M. Fisher Appellant. vs. R. A. Sq. Jas. Craig.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. A. H. Evans of counsel for the appellant. No counsel appearing for the appellee.

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91 The Mutual Life Insurance Company of New York Plff in Error. vs. Anna M. Snyder

(and)

92 The Mutual Life Insurance Company of New York Plff in Error. vs. Lewis W. Snyder.

The argument of these cases was commenced by Mr. W. A. Porter of counsel for the plaintiffs in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne,
Samuel F. Miller, Associate
David Davis, Justices
Stephen J. Field
William Strong
Joseph P. Bradley,
Ward Hunt,

John G. Nicolay, Esquire Marshal.
Daniel Wesby Middleton, Clerk.

Proclamation being made the Court is opened.

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91 The Mutual Life Insurance Company of New York vs. Phillips in Error) Anna M. Snyder.

92 The Mutual Life Ins. Co. of New York vs. Phillips in Error) Lewis M. Snyder.

(And)

The argument of these causes was continued by Mr. W. A. Porter of counsel for the plaintiff in Error, by

Mr. Henry Grant and Mr. Edward J. Fox of counsel for the defendant in Error, and concluded by Mr. George W. Biddle for the plaintiffs in Error.

Stephen Daly
93 Vs. Pltff in Error,
The Freedmen's Savings & Trust Company.

The argument of this cause was commenced by Mr. J. H. Bradley of counsel for the plaintiff in Error, and continued by Mr. Enoch Totten of counsel for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock. ———

Pursuant to adjournment the Court met to day at the Capital.

Present

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford, Associate
Noah H. Swayne, Justices
Samuel F. Miller,
David Davis,
Stephen J. Field,
William Strong,
Joseph P. Bradley,
Ward Hunt.

John G. Nicolay Esquire Marshal
Daniel W. Wiley Bailiff

Proclamation being made the Court is opened.

Stephen Tally, Plff in Error,
vs.
The Freedman's Savings & Trust Company.

The argument of this cause was continued by Mr. Enoch Totten of counsel for the defendant in Error and concluded by Mr. Jos H. Bradley of counsel for the plaintiff in Error.

Ex parte. C. H. Hawkendick.
735 Petitioner- Appellant

Ex parte: John Henderson
736 Appellant

Mr. D. C. Taball of counsel for the appellants filed and submitted to the consideration of the Court, motion to advance these cases. Whereupon this Court, not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Ex parte, In the matter of
C. H. Hawkendick
Petitioner

And
Ex parte. In the matter of
John Henderson,
Petitioner.

On motion of Mr. D. C. Taball time is hereby granted to, to file petitions for writs of Habeas Corpus in these cases.

Wm K. Whiteside et al
734 vs. Appellants
The United States.

This cause was argued by Mr. Joseph Casey

of counsel for the appellants, and by Mr. Assistant Attorney General Smith of counsel for the appellees.

Wm. H. Cobb et al vs. Pliffs in Error, George Rice.	Ordered by the Court that this cause be passed on account of absence of counsel on public business

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John G. Benson vs. Pliff in Error, Josephine De Cuir,	The death of the plaintiff in Error in this cause having been suggested, it is ordered that the cause be passed until the proper parties are entered.

Edward G. Kanrick, Administrator of Edward Kanrick, deceased vs. Pliff in Error, David Barton et al.	In Error to the Circuit Court of the United States for the Western District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and the plaintiff in Error having been three times solemnly called by the Marshal to come into Court and prosecute his writ of Error, and failing to appear it is thereupon in pursuance of the 16th rule of this Court, and on the motion of Mr. J. K. Ashton of counsel for the defendant in Error, now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed with costs.- And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

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12 George A. Kibbe vs. Pliff in Error Alfred Thompson Dft

Ordered by the Court that this cause be and the same is hereby

continued to the next term

	John S. Phipps et al	Ordered by the
100	vs. Appellants	Court that
	John Sedgwick, Assignee	these cases be
	And	passed pursuant
	[illegible] Plass et al	to order entered
101	vs. Appellants	on the 25th of
	John Sedgwick Assignee	October last

	The Union Pacific R.R.Co	Ordered by the
102	vs. Appellants	Court that
	Joseph B. Stewart	these cases
	And	be passed on
	Joseph B. Stewart	account of
282	vs. Appellant	the sickness of
	The Union Pacific R.R.Co.	Mr. Carpenter

Proclamation being made the Court, is adjourned until tomorrow, at twelve o'clock.

Friday November 17th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
Ward Hunt
Associate Justices.

John G. Nicolay, Esquire, Marshal
David Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. M. Wheeler, it is ordered that Charles H. Bangs, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	George W. Wheeler	This cause was
103	Plff in Error.	argued by Mr.
	John Sedgwick, Assignee &c	E. H. Wheeler of

counsel for the plaintiff in Error, and by Mr. C. W. Bangs for the defendant in Error.

	The United States	This cause was
104	vs. Plff in Error.	argued by Mr.
	Annie Eyre, et al.	Assistant Attorney

General Smith of counsel for the plaintiff in Error, and submitted on printed argument by Mr. James Flynn of counsel for the defendant in Error.

	Emery Emerton, Assignee	This cause was
105	&c Plff in Error.	submitted to
	Edgar A. Switzer	the considera-

tion of the Court, on the record and printed arguments by Mr. E. J. Merrick and Mr. G. H. Raw of counsel for the plaintiff in Error, no counsel appearing for the defendant in Error.

Moritz Cohen
106 vs. Appellant.
The U. S. Consul Egypt Def.

The argument of this cause was commenced by Mr. B. F. Thurston of counsel for the appellant and continued by Hon. George Gifford of counsel for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

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Monday November 20th 1876

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller Associate
David Davis Justices
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court, in this behalf by Mr. C. Phillips, it is ordered that Thomas G. Jones, Esquire, of Montgomery, State of Alabama, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A.G. Porter, it is ordered that William A. Browne, Esquire, of Greencastle and John S. Dye, Esquire of Indianapolis, State of Indiana, be admitted to practise as attorneys and counsellors of this Court, and they were sworn accordingly.

The Home Insurance Co. Plff in Error
69 vs. } In Error to the Circuit Court of the United States for the District
The Baltimore Warehouse Company } of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with

costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Maryland.

per Mr. Justice Strong.

Charles Morgan
6521 vs. Pltff in Error.
The State of Louisiana.

In Error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcripts of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with Costs.

per Mr. Justice Field.

James Hendrick
75 vs. Pltff in Error.
Archibald G. Lindsay
& James P. Mansfield.

In Error to the Circuit Court of the United States for the Northern

District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel.- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr Justice Davis.

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88. Alfred E. Sitton & Chas E. Sitton, Appellants. vs. Jos B. Corfield, David Wilkes, Rich'd E. Whitsitt, Simon Stark, John Rocho, E. T. Hallett & Chas. Hallett

Appeal from the Supreme Court of the Territory of Colorado

This cause came on to be heard on the transcript of the record from the

Supreme Court of the Territory of Colorado.
And was argued by Counsel. On consideration
whereof it is now here ordered, adjudged and
decreed by this Court that the decree of
the said Supreme Court in this cause
be and the same is hereby reversed with
costs. And that this cause be and the
same is hereby remanded to the Supreme
Court of the State of Colorado, with directions
to dismiss the bill.

Per Mr. Justice Swayne

The Steamboat Willis 'her
Engines &c. The Camden and
Amboy Railroad and Trans-
portation Company.
Appellants.
vs.
The Phoenix Insurance Company.

Appeal
from the
Circuit
Court of
the United
States for
the Eastern

117

District of New York.

This cause came on to be heard on the
transcript of the record from the Cir-
cuit Court of the United States for the
Eastern District of New York, and was

argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs to the appellees. And that this cause be and the same is hereby remanded to the said Circuit Court, with directions to reverse the decree of the District Court and to enter a new decree in favor of the libellant for the entire damages as ascertained by the Commissioners.

Mr. Justice Clifford

George W. Wheeler
Pltff in Error
vs.
John Sedgwick Assignee
of E. S. Comstock, and
James M. Wheeler
Bankrupt,

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit

Courts of the United States for the Southern District of New-York, and was argued by Counsel On Consideration whereof it is now here ordered and adjudged that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York

per Mr. Chief Justice Waite.

Henry W. Shaober.
123. vs. Pltff in Error
The Hartford Fire Insurance Company.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel On consideration whereof it is now here ordered and adjudged

by this Court, that the writ of Error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

J. H. Fisher
89 vs. Appellant.
R. R. Jos Craig.

This cause is continued for argument at the next term. It was submitted by the appellant upon the regular call of the docket. No counsel appearing for the appellee. On opening the brief of the counsel for the appellant, we find no statement of the case and no assignment of Errors, as required by our Rule 21. We are not inclined to enter upon the examination of what appears to be a complicated patent case, until better informed of the questions we are expected to meet and decide.

per Mr. Chief Justice Waite.

Isaac S. Kirk
866 vs. Pfff in Error
D. W. Hollingsworth

On consideration of the motion to dismiss this cause, and of the argument of counsel thereupon had, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Waite.

Hall, Ayer & Company.
779 vs. Appellants.
Charles L. Frost, Trustee.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be and the same is hereby denied.

U. United States
770 vs. Appellants
Benjamin Flint, et al.

The United States
771 vs. Appellants,
N. W. Carpenter, Def'd

And

On consideration of the motions to advance these causes, it is now here ordered by the Court that said motions be and the

1736.	The United States Appellants, Samuel K. Throckmorton. et al.	same are hereby denied. for the Chief Justice Waite.

13	Ex parte: Conrad N. Jordan, Henry Amy, Edward Livingston, Frederick P. James, Theodore Houston, John C. Williams, (Mr. Millard & Cowdry. Petitioners.	Petition for Mandamus.

In the matter of Abraham S. Hewitt, et al. Trustees &c

vs.

The New York Ontario & Western Railroad Company et al.

Now on the 20th day of November A. D. 1876 on the application of F. A. Bangs, Esquire, Counsel for the petitioners, it is ordered that the Judges of the Circuit Court of the United States for the South. ern District of New York, show cause before this Court on Monday the 27th day of November A. D. 1876.

why a writ of mandamus should not issue to the said Judges, commanding them to allow the appeal of said petitioner as of the second day of October 1876, pursuant to the prayer of the said petition.

The Selma & Meridian Railroad Company.
933 of '75 vs. Appellant,
The Louisiana National Bank of New Orleans, et al.

On consideration of the motion to reinstate and annul the judgment of dismissal entered in this cause on the 22nd day of February A. D. 1876, and to reinstate the cause on the docket, it is now here ordered by the Court, that said motion be and the same is hereby denied.

(Per Mr. Chief Justice Waite.

Henry K. Easterling et al.
791 vs. Pltffs in Error.
The State of South Carolina
Ex-rel- C. C. Sartigue.

The motion to dismiss this cause was submitted to the consideration

of the Court, on printed argument by

Mr. P. Phillips, and by Mr. W. W. Boyce in opposition thereto.

Ex parte: Robert L. Culling et al.
Orig. Petitioners et al.

On motion of Mr. Blair it is ordered that the argument of the return to Rule in this cause be, and the same is hereby, postponed until Monday next.

M. J. & M. B. Dayton.
vs. Appellant,
Isreal G. Lash

The motion to dismiss the appeal of M. J. Dayton in this cause was fully submitted to the consideration of the Court by Mr. T. J. Durant in opposition thereto.

The Northwestern National Insurance Co. of Milwaukee,
vs. Plff in Error,
John Ashton

In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and on the stipulation of counsel for the respective parties on file, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed, each party paying their own costs.

Per Mr. Chief Justice Waite.

George O. Hovey and Isaac F. Dobson, Assignees of the Independent Insurance Company, a Bankrupt.

175 vs. Plffs in Error,

The Northwestern National Insurance Company of Milwaukee.

In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and on

the stipulation of counsel for the respective parties, on file, it is now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed, each party paying their own costs.

per Mr. Chief Justice Waite.

The Baltimore & Ohio Railroad Company, Plff in Error, vs. Nathan D. Dare, of West Virginia.

In Error to the Circuit Court of the United States for the District

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of West Virginia, and on the motion of Mr. J. H. B. Latrobe of Counsel for the plaintiff in Error, it is ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed with costs. per Mr. Chief Justice Waite.

The Commissioners of Hamilton County, Ohio, Plffs in Error.
vs.
John Gray.

In Error to the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and it appearing to the Court from the stipulation of Counsel on file, that the matters in controversy in this cause have been agreed and settled between the parties, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed, each party paying their own costs.

per Mr. Chief Justice Waite.

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560 John H. Martin Plff in Error.
vs.
The Hazard Powder Co.

The motion to dismiss this cause was sub-

willed to the consideration of the Court on printed arguments by Hon. S.F. Phillips in support of the same and on the affidavit filed by Mr. H.C. Brennan in opposition thereto.

John P. Smith
vs. Clk in Cmn.
The United States

For motion to rescind the judgment entered in this cause on the 10th of October last dismissing the writ of Error was argued by Mr. J.J. McGuire in support of the same and by Hon. Solicitor General Phillips in opposition thereto: Whereupon it is now here ordered by the Court that the judgment Entered on the 10th day of October last dismissing this cause be and the same is hereby rescinded and annulled and that the cause be, and the same is hereby reinstated upon the docket.

The State of Florida.
3. Orig.l vs. Complainant.
E. C. Anderson jr. et al.

The motion for an order directing the Register of this Court to pay over monies in his hands to complainant in this cause after deducting fees &c was argued by Mr. William Birney, in support of the same.

The State of Florida
3 Orig.l vs. Complainant
E. C. Anderson, jr. et al.

The motion for an order directing the Register of this Court, to pay over monies in his hands in this cause to the Trustees of the Internal Improvement Fund of the State of Florida, was argued by Mr. J. J. C. Dent in support of the same.

The State of Florida
3 Orig.l vs. Complainant
E. C. Anderson jr. et al.

The motion for an order directing the Register of this Court, to pay over monies in his hands in this cause to the

judgment creditor of the Jacksonville Pensacola and Mobile Railroad Company was argued by Mr. D.P. Hollands in support of the same.

The State of Florida
3 Orig. vs. Complainant.
C. C. Anderson jr. et al.

On motion of Mr. D.P. Holland leave is hereby granted him to file petition by Monday next of Tyler and Gibson in this cause for the payment out of the funds in the hands of the Register of this Court of materials furnished for the use of the Jacksonville Pensacola and Mobile Railroad Company.

Russell Sage et al.
731 vs. Appellants.
The Central Railroad Company of Iowa, et al.

Mr. B.F. Lee filed motion to advance this cause.

John L. Davis
1177 Co. Pltff in Error
Alfred Slidell et al.

For motion to dismiss this cause was submitted to the

consideration of the Court on printed arguments by Mr. Thomas Allen Clarke, in support of the same, and by Mr. S. J. Durant and Mr. C. W. Hornor in opposition thereto.

	J. Kuhpenbauer	The motion to
435	vs. Pltff in Error.	dismiss this
	Alfred Slidell et al.	cause was sub-
		mitted to the

consideration of the Court on printed arguments by Mr. Thomas Allen Clark in support of the same, and by Mr. S. Madison Day in opposition thereto.

	Josephine Hale Ames Ext.	The motion
668	vs. Pltff in Error.	to dismiss
	The Heirs of John Slidell,	this cause
	(Canl)	was submit-
	Josephine Hale Ames, Extx	ted to the
669	vs. Pltff in Error	consideration
	The Heirs of John Slidell.	of the Court

on printed arguments by Mr. Thomas Allen Clarke

in support, of the same, and by Mr. D. C. Labatt in opposition thereto.

Ex parte: John Henderson,
11 Orig.l Petitioner.

And

Ex parte: A. Hawkins et al,
12 Orig.l Petitioners.

For argument of the petition for writ of Habeas Corpus in these cases was commenced by Mr. D. C. Labatt in support of the same.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock. ———

Tuesday November 21st 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt,
} Associate Justices.

John G. Nicolay, Esquire, Marshal.
Daniel Ensley Middleton, Clerk.

Proclamation being made the Court is opened.

Ex parte: John Kaulick, Petitioner,
11 Orig.
Ex parte: C. K. Kaulick
12 Orig. Petitioner,

} The argument of the petition for writs of Habeas Corpus in these cases was

continued by Mr. P. C. Tabell in support

thereof by Mr. Solicitor General Phillips in opposition thereto, and concluded by Mr. Labatt in support of the petitions.

Robert P. Dodge et al.
150 vs. Appellants.
The Freedmen's Savings & Trust Company.

On motion of Mr. S. F. Phillips in behalf of the respective counsel, it is now here ordered by the Court that this cause be substituted for No. 120, and vice versa, as per agreement of counsel on file.

Moritz Cohn.
106 vs. Appellant.
The United States Coal Company et al

The argument of this cause was continued by Mr. Geo. Gifford of counsel for the appellees and concluded by Mr. B. F. Thurston of counsel for the appellant.

E. G. Pratt et al.
107 vs. Pffs in Error.
The Grand Trunk Railway Co. of Canada.

Ordered by the Court that this cause be, and the same is

hereby continued to the next term.

The Indianapolis & St. Louis Railroad Company.	The argument of this cause was commenced by Mr. W. H. Brown
109 vs. Pfff in Error,	
Henry Horch,	

of counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock. ———

Wednesday November 22d. 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
Associate Justices.

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. F. H. Haskell it is ordered that Frank Goodwin Esquire, of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Joseph Gottlieb
936. vs. Plff in Error.
Maggie Hartman

Mr. C. F. Peck of counsel for the defendant in Error having filed and read in open Court the following certificate to wit:

In the Supreme Court of Colorado.
February Term 1876.

Joseph Gottlieb
vs. Plff in Error.
Maggie Hartman
Defs in Error.

Error to District Court Arapahoe County.

I, John W. Webster, Clerk of the Supreme Court of Colorado, do hereby certify that the above cause was affirmed by the Supreme Court of Colorado at the February Term thereof A. D. 1876. on to wit the 29th day of February A. D. 1876. and that the plaintiff in Error, Joseph Gottlieb sued out a writ of Error in said Court from the Supreme Court of the United States to said Supreme Court of Colorado Territory, on, to wit, the 28th

day of March A. D. 1876, and that a transcript of the record of said cause was afterwards, on, to wit, the 6th day of October A. D. 1876, taken from the clerks office of the Supreme Court of Colorado.

Seal

Witness John W Webster, Clerk of said Court, and the seal thereof at Denver, this 13th day of November A. D. 1876.

John W. Webster

Clerk Sup. Court Colorado.

And having stated that the plaintiff in Error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of Error, now here moved the Court, in pursuance of the 9th rule of this Court, to have this writ of Error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause to the Supreme Court of Colorado be, and the same is hereby, docketed and dismissed with costs; and that

this cause be, and the same is hereby remanded to the said Supreme Court, to be proceeded in according to law and justice.

per Mr Chief Justice Waite

The Indianapolis and St. Louis Railroad Company
109. vs. Pfff in Error,
Henry Horst

The argument of this cause was continued by Mr. A. G. Porter, of counsel for the defendant in Error, and concluded by Mr. John T. Dye for the plaintiff in Error.

Samuel L. Jones,
110. vs. Appellant,
The City of Pensacola.
And
Edward Broughton
111 vs. Appellant
The City of Pensacola.

These cases were argued by Mr. Thomas G. Jones, and Mr. P. Phillips of counsel for the appellants, and submitted on printed arguments by Mr. E. C. Yonge of counsel for the appellees.

Samuel Smith et al.
112 vs. Pffs in Error.
Myra Clark Gaines.

This cause was argued by Mr. James Emott of Counsel for the defendant in Error, and submitted on printed arguments by Mr James McConnell of Counsel for the plaintiffs in Error.

Daniel H. Smith
113 vs. Appellant.
The Goodyear Dental Vulcanite Company.

On motion of Mr. H. Baldwin, one hour additional time allowed on Each side, in the argument of this cause.

Daniel H. Smith
113 vs. Appellant.
The Goodyear Dental Vulcanite Company.

The argument of this cause was commenced by Mr. H. Baldwin, jr. of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Thursday November 23d 1875

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford.
Noah H. Swayne.
Samuel F. Miller.
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. Phillips it is ordered that Francis Lynde Stetson, Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. H. Baldwin jr, it is ordered that Thomas N. McCarter, Esquire, of Newark, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Daniel H. Smith
113 vs. Appellant,
The Goodyear Dental
Vulcanite Company.

The argument of this cause was continued by Mr Henry Baldwin jr, of counsel for the appellant, and by Mr. B.F. Lee and Mr. E.N. Dickerson of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday November 24th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford,	Associate Justices
	Noah H. Swayne,	
	Samuel F. Miller,	
	David Davis,	
	Stephen J. Field,	
	William Strong,	
	Joseph P. Bradley,	
	Ward Hunt	

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. Baldwin Jr. it is ordered that E. Luther Hamilton Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Honorable Alphonso Taft produced Letters Patent from the President of the United States, which were ordered to be recorded in the words and figures following, to wit:

—— "Ulysses S. Grant ——

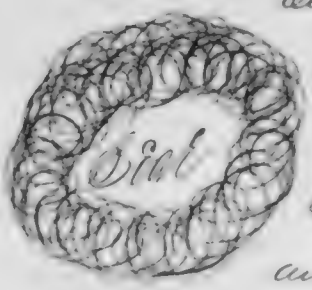
President of the United States of America.

To all who shall see these presents, Greeting - Know Ye, That reposing special trust and confidence in the patriotism, integrity and abilities of Alphonso Taft, of Ohio, I have nominated, and by and with the consent of the Senate, do appoint him to be Attorney General of the United States, and do authorize and empower him to execute and fulfil the duties of that Office, according to law, and to have and to hold the said Office, with all the powers, privileges and emoluments to the same of right appertaining unto him the said Alphonso Taft, subject to the conditions prescribed by law.

In testimony whereof I have caused these Letters to be made patent and the seal of the United States

to be hereunto affixed

Given under my hand at the City of Washington, the twenty second day of May, in the year of Our Lord, One Thousand Eight Hundred and Seventy-six, and of the Independence of the United States of America the One hundredth.



U. S. Grant.

By the President.
Hamilton Fish
Secretary of State.

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113 Daniel H. Smith vs. The Goodyear Dental Vulcanite Company et al.

Appellant.

The argument of this cause was continued by Mr. E. J. Dickerson, of counsel for the appellee, and concluded by Mr. Henry Baldwin for the appellant.

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114 Wm. H. Cammeyer et al vs. John Newton, et al.

Appellants

This cause was submitted to the Considera-

tion of the Court on the record and printed arguments by Mr. Thomas P. Hunt of Counsel for the appellants – with leave to Mr. Assistant Attorney General Smith to file brief for appellees.

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115 | James Callanan vs. Michael Hurley | Appellant | Ordered that this cause be passed until after the argument of No. 120.

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118 | Richard Windsor vs. Wm. S. McVeigh | Plff in Error | These cases were argued by Mr. S. F. Beach of Counsel for the plaintiffs in Error and by Mr. P. Phillips and Mr. John Howard for the defendants in Error.

(And)

163 | Ann Gregory vs. Wm. S. McVeigh | Plff in Error

Robert H. Foster
116 vs. Pfff in Error.
The Masters & Wardens
of the Port of New Orleans,

This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. H. J. Leovy of counsel for the appellant. No counsel appearing for the appellees.

The United States
119 vs. Appellants
John Young, Trustee.

Ordered by the Court that this cause be passed subject to the provisions of section 7. Rule 26.

Robert P. Dodge et al,
150 vs. Appellants.
The Freedmen's Savings
& Trust Company.

Substituted for No. 120.) The argument of this cause was commenced by Mr. Walter S. Cox of counsel for the Appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

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Monday November 27th 1876.

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne,
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt,
Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr. Thomas Hoyne, it is ordered that Henry G. Miller, Esquire, of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court, and he being sworn accordingly.

Henry A. Grant, Collector of Internal Revenue. | In Error to the Circuit Court of the United States for the District of
86 vs. Plaintiff in Error
The Hartford & New Haven Railroad Company. | Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut- And was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with Costs and interest until paid at the same rate per annum that similar judgments bear in the Court of the State of Connecticut.

- per Mr. Justice Bradley.

The President, Directors and Company of the Bank of Kentucky.

vs. Pffs in Error.

The Adams Express Company.

In Error to the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with direction to award a venire facias de novo.

Per Mr. Justice Strong.

The Planters National Bank of Louisville
77 vs. Plff in Error.
The Adams Express Company.

In Error to the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. - On consideration whereof it is now ordered and adjudged by this Court, that the judgment of the said Circuit Court, in this cause be, and the same is hereby reversed with costs, And that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr. Justice Strong.

John S. Shaw 63 vs. Appellant. The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed.

Dissenting Mr. Justice Miller.	Per Mr. Justice Field

(Mr. Justice Strong did not take part in the decision of this cause.)

The Mutual Life Insurance Company of New York. 91 vs. Pltff in Error, Anna M. Snyder.	In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with cost and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

Per Mr Justice Davis.

The Mutual Life Insurance Company of New York. Plff in Error
vs.
Lewis H. Snyder.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

for the District of Pennsylvania, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

Per Mr. Justice Davis.

Charles D. Hornor,
Plff in Error.
vs
George C. Henning, Z. Jones, Thomas J. Gardner, George R. Ruff, Thomas Francis, William Bryan, John A. Ruff, Charles A. Zimmerman, and John C. McKelden.

In Error to the Supreme Court of the District of Columbia.

8/CR

This cause came on to be heard on the transcript of the record from

the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Miller.

	Stephen Gatly	In Error to the
93	vs.	Supreme Court of
	Piff in Error.	the District
	The Freedman's Saving	of Columbia.
	& Trust Company.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Swayne.

William H. Whiteside Rufus Harris & Daniel W. Chandler.	Appeal from the Court of Claims.
94 vs. Appellants. The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed.

Per. Mr. Justice Clifford.

Ex-parte: John H. Enderson	On consideration of the motion and petitions for writs of Habeas Corpus
11 Orig. - Petitioner	
and	
Ex-parte: A. H. Kaustendieck	
12 Orig. Petitioner	

in these cases and of the argument of Counsel thereupon had, as well

in support of as against the same, it is now here ordered by the Court that said petitions be and the same are hereby denied

per Mr. Chief Justice Waite.

Ex parte: In the matter of Otto H. Karstendiek Petitioner, Appellant

735

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and on the motion of Mr. Solicitor General Phillips, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

Ex parte: In the matter of John Henderson, Petitioner, Appellant. | Appeal from the Circuit Court of the United States for the District of Maryland.

736.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and on the motion of Mr. Solicitor General Phillips, it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

John Lewis Davies, Plff in Error, vs. Alfred Shiell et al. | In Error to the Supreme Court of the State of Louisiana.

417

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and

was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite.

G. Huppenbauer
435. vs. Pfff in Error.
Alfred Slidell et al
Heirs of John Slidell, decd

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

Josephine Hale Ames
wife of Hugh Ames,
Testamentary Executrix
of Thomas Hale, dec'd
668 vs. Pff in Error
The Heirs of John Slidell,
deceased.

In Error to
the Supreme
Court of the
State of
Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

(per Mr. Chief Justice Waite.

Josephine Hale Ames
wife of Hugh Ames
Testamentary Executrix of
Thomas Hale, deceased
669 vs. Pff in Error
The Heirs of John Slidell, dec'd

In Error to
the Supreme
Court of the
State of
Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

Henry F. Easterling, and
George F. All.
791 vs. Pffs in Error.
The State of South Carolina,
Ex rel. C. E. Sartigue.

In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on transcript of the record from the Supreme Court of the State of South Carolina, and on the motion of Mr. P. Phillips of counsel for the defendant in Error, it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court, in this cause be, and the same is hereby, affirmed

with costs.

per Mr. Chief Justice Waite.

John R. Smith
2 vs. Pltff in Error.
The United States

Ordered by the Court that the motion of Mr. J. J. McGilvra to assign a day for the argument of this cause be, and the same is hereby, denied: and it is further ordered that unless the plaintiff in Error shall submit himself to the jurisdiction of the Court below on or before the first day of the next term of this Court, that the cause will be again dismissed.

per Mr. Chief Justice Waite.

M. J. & M. B. Dayton
876 vs Appellant,
Israel G. Lash.

On consideration of the motion to dismiss the appeal of M. J. Dayton in this cause and of the argument of counsel thereupon had, as well in support of as

against the same, it is now here ordered by the Court that unless the said appellant M. S. Dayton cause a new citation to be issued and served on the appellee, and returned by the 1st Monday in February next, that the said appeal will be dismissed.

per Mr. Chief Justice Waite.

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77 Thomas A. Osborne et al. vs. The United States. Plffs in Error.

Our consideration of the motion of Mr. E. S. Brown for an order directing the Clerk to issue the mandate in this cause, and of the argument of Counsel thereupon had, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Waite.

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560 John H. Martin vs. The Hazard Powder Co. Plff in Error.

On consideration of the motion to dismiss this cause and of

Counsel thereupon had it is now here ordered by the Court that said motion be and the same is hereby denied.

Per. Curiam. Chief Justice Waite.

Amendment to Rule 10.

Section 10.

In each case fees shall be charged in the taxable costs for but one manuscript copy of the record and that shall be to the party bringing the cause into Court, unless the Court shall otherwise direct.

Francis E. Hinkley, late Receiver &c.
vs. Appellants
The Gilman, Clinton & Springfield Railroad Co.

Mr. S. Biddle Roberts, of counsel for the Appellees in this cause presented the certificate of the Clerk and moved the Court under the 9th rule to have this cause docketed and dismissed, Whereupon it is now here ordered by the Court that unless the

security for costs required by the 10th rule of this Court be filed within two weeks from this date, said motion will be granted.

John G. Miggins
885 vs. Plff in Error.
The People of the U.S.
in the Territory of Utah.

On motion of Mr. Geo. S. Williams it is ordered that this cause be advanced and assigned for argument on Monday the 18th of December.

Richard Windsor
118 vs. Plff in Error.
Wm N. McVeigh.

Mr. S. F. Beach suggested the death of Richard Windsor, the plaintiff in Error in this cause and moved the Court for leave to enter the appearance of Richard N. Windsor, and Frederick R. Windsor as devisees and David Windsor and Frederick Windsor, Executors of the said Richard Windsor, deceased, as the plaintiffs in Error, in this cause. Whereupon it is now here ordered by the Court that Richard N. Windsor, David Windsor, and

Frederick R. Windsor, as devisee, and David Windsor and Frederick Windsor Executors of said Richard Windsor, deceased be and they are hereby ordered and made the plaintiffs in Error in this cause in place of the said Richard Windsor, deceased

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55 Robert H. Allen vs. Charles Gallaher, Appellant

On motion of Mr. J. D. McPherson, leave is hereby granted the Clerk to issue the Mandate in this cause.

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529 J. W. Denver, and Charles F. Peck vs. Archibald Roane Ex'r. &c. Appellants

The motion to advance this cause was submitted to the consideration of the Court by Mr. S. S. Hinkle in support of the same and by Mr. Albert Pike in opposition thereto.

	The State of Florida	Mr. D. P. Holland
3	Orig! Complainant	filed and submitted
	E. C. Anderson, jr, et al.	to the consideration
		of the Court

petition in behalf of Lyles and Gibson for the payment for materials furnished the Jacksonville, Pensacola & Mobile Railroad Company. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

	Ex parte: C. St. Jordan et al	On motion
13	Original. Petitioners	of Mr.
		Wm. M.

Evarts it is ordered that the time for the return of the Rule issued in this cause be, and the same is hereby extended until Monday the 11th day of December next

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	Ex parte; C. St. Jordan et al	On motion
13	Orig! Petitioners	of Mr. N.
		A. Cowdrey

leave is hereby granted him to file

affidavit and exhibits thereto attached, in this cause.

	A. Yznaga Del Valle	The motion to
765	vs. Pltff in Error,	dismiss this
	Charles K. Harrison Dft.	cause was

submitted to the consideration of the Court on printed arguments by Mr. Edward James in support of the same and by Mr. J. J. Durant, and Mr. E. W. Stoughton in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

	Charles E. Stinwall et al.	The motion
895	vs. Pltff in Error,	to dismiss
	George W. Campbell et al.	this cause

was submitted to the consideration of the Court on printed arguments by Mr. L. Broadfoot, in support of the same and by Mr. John A. Thompson in opposition

thereto.

John L. Macauley et al.
139 vs. Appellants.
Charles Clinton, Auditor &c.

The State, Ex Rel John L.
Macauley.
434 vs Plff in Error
Charles Clinton, Auditor &c

And

John L. Williams et al.
757 vs. Plff in Error.
The State of Louisiana, et al.

On motion of Mr. T. J. Durant it is ordered that these cases be assigned for argument on Monday the twenty second day of January next.

Russell Sage et al.
731 vs. Appellants
The Central Railroad
Company of Iowa et al.

Mr. Turner submitted to the consideration of the Court the motion filed by Mr. Lee to advance this cause.

731 Russell Sage et al. vs. The Central Railroad Company of Iowa, et al. Appellant.

The motion to vacate the supersedeas in this cause, and for dismissal of the appeal was argued by Mr. R. L. Ashhurst in support of the same and by Mr. A. C. Cowdrey in opposition thereto: Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

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121 William W. Bond et al. vs. John W. Moore, Plaintiff in Error.

On motion of Mr. F. P. Stanton leave is hereby granted him to withdraw his appearance for the defendant in Error in this cause.

Ex parte: Robert L. Cutting jr. et al. Petitioners. | On motion of Mr J. C. Broadhead

Original.

leave is hereby granted counsel for respondents to file printed briefs in ten days from this date with leave to counsel for petitioners to file reply brief if they should desire to do so.

Ex parte: Robert L. Cutting jr. et al. Petitioners. | The argument of the return to Rule in

Original.

this cause, and of the petition for Mandamus was commenced by Mr. Henry Crawford in support of the petition, continued by Mr. J. C. Broadhead and Mr. Wm M. Evarts, in opposition thereto and concluded by Mr. Crawford in favor of the petition

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Robert P. Dodge et al. | (substituted

150 vs. Appellants. | for No. 120.)

The Freedmans Savings & Trust Company. | The argument of this cause was continued

by Mr. Walter S. Cox of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday November 29th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt,
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesby Middleton, Clerk.

Proclamation being made the Court is opened.

Robert T. Dodge et al
vs. Appellants
The Freedmen's Savings & Trust Company.

(Substituted for No. 120.)

The argument of this cause was continued by Mr. Walter S. Cox of counsel for the appellants, by Mr. Enoch Totten of

Counsel for the appellees and concluded by Mr. B. J. Darneille of counsel for the appellants.

H. P. Bigelow, admr of H. F. Bigelow, deceased.
124 vs. Plff in Error,
The Berkshire Life Ins. Co.

(Substituted for No. 110). This cause was argued by Mr. Thomas Hoyne of counsel for the plaintiff in Error, and by Mr. H. G. Miller of counsel for the defendant in Error.

James Callanan jr
115 vs. Appellant
Michael Hurley.

The argument of this cause was commenced by Mr R P Lowe of counsel for the appellant.

Fred'k Herbold.
125. vs. Plff in Error,
Clark U. Upton, Assignee.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. A. Otis of counsel

for the plaintiffs in Error, and by Mr. S. H. Boutell of counsel for the defendants in Error.

The Town of Genoa,
126 vs. Plffs in Error,
Edward Charles Fiddes.

In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and it appearing to the Court from the stipulation of counsel on file, that the matters in controversy in this cause have been agreed and settled between the parties, it is now here ordered and adjudged by this court that the writ of Error in this cause be, and the same is hereby dismissed without costs.

Per Mr. Chief Justice Waite.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Pursuant to adjournment the Court met today at the Capital.

Present,

The Honorable	Morrison R. Waite,	Chief Justice.
	Nathan Clifford	Associate Justices.
	Noah H. Swayne	
	Samuel F. Miller	
	David Davis	
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt	

John C. Nicolay, Esquire, Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

70

The County of Callaway State of Missouri vs. Pltff in Error. Thomas J. Foster.	In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Justice Hunt.

Dissenting.
Mr. Justice Miller.
" " Davis
" " Field
" " Bradley.

	James M. Barkley.	
81.	vs. Plff in Error.	In Error to the
	The Board of Levee Com-	Circuit Court
	missioners of the Parishes	of the United
	of Madison & Carroll, &	States for the
	the Police Jury of the	District of
	Parishes of Madison & Carroll.	Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by Counsel.- On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Bradley.

	The State of Florida	On Bill
3	Orig.l vs. Complainant.	in Equity.
	Edward C. Anderson, junior	Decree.
	and others	

It appearing to the

Court that Robert Walker the receiver in this cause, in pursuance of the order in that behalf has filed quarterly reports of his transactions and accounts as such receiver and of the condition and operations of the railroads and property in his charge, the ninth and last of which quarterly reports, for the quarter ending July 31st 1876. was filed on the 7th day of September last, and it appearing from said last quarterly report that on the first day of June last he did deliver to Dennis Eagan Commissioner of Lands and Immigration of the State of Florida, the said railroads and property in pursuance of the decree made on the first day of May last, and it further appearing that the said receiver hath since filed four supplementary reports containing further statements of his accounts and transactions in relation to his said Receivership, the thirteenth and final report being dated and filed on the third day of November last, and it further

appearing from the said several reports that the total amount of money received by said Receiver during his receivership was the sum of $1.097,080.00; and that his disbursements including the expenses of this suit and his salary as receiver amounted to $1037.642.21 leaving in his hands a balance of $39.437.79 including certificates of the Comptroller of Florida to the amount of $2308, given for transportation done for said State; which balance in pursuance of said decree he hath duly paid to the Clerk of this Court, appointed Register to receive the same; and it also appearing from said reports, and also from the report of the said Clerk, that said Receiver has presented all his accounts and vouchers in relation to said receivership to the said Clerk for examination and settlement; and that the same have been duly examined, and audited and found to be correct, and no exceptions to said accounts having been filed and no objections appearing thereto. Now on this fourth day of December 1876, it is

ordered, adjudged and decreed, that the said accounts and settlement be confirmed and that the said receiver be discharged in respect of the same, and that he be also discharged from his said receivership.

And it further appearing that the said receiver has been allowed salary for his services only to the first day of July last and that since that time he has been compelled to devote his constant labor and attention to the closing up and settlement of the said business, until the filing of his final report before mentioned; it is therefore further ordered and decreed that said Register do pay to him out of the moneys received as aforesaid the further sum of twenty five hundred dollars as additional compensation for his services in this behalf.

And whereas the said receiver in his twelfth report filed on the 28th day of October last, states that a balance of $270.00 is due from

one Isaac R. Harris his agent at Chattahoochee station, for which said agent present (duly) was and excused, that having no wife and his office being insecure his desk was broken open and robbed whilst he was temporarily absent attending to the duties of his agency; and no bland appearing to be attached to said agent, it is ordered that said receiver be discharged from prosecuting him, and from further responsibility in the matter.

per Mr. Justice Bradley.

	Moritz Cohn	Appeal from the
106	vs. Appellant	Circuit Court of
	The United States	the United States
	Corset Company,	for the Southern
	Jonas H. Lane, and	District of
	Wm Lyall.	New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration

whereof it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court, in this cause be and the same is hereby affirmed with costs. per. Mr. Justice Strong.

Dissenting.
Mr. Justice Clifford.

Samuel G. Jones
110 vs. Appellant.
The City of Pensacola.

Appeal from the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by Counsel- On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs, without prejudice to the plaintiffs right to proceed

at law.

per Mr. Justice Field.

Edward Broughton	Appeal from the
111 vs. Appellant.	Circuit Court
The City of Pensacola	of the United
	States for the

Northern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with Costs, without prejudice to the plaintiffs right to proceed at law.

per Mr. Justice Field.

Samuel Smith, James E Yeuts et al. vs. Myra Clark Gaines

112 Riffle, in Error

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with cost and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

Per Mr. Justice Miller.

	The Indianapolis and St. Louis Railroad Company Plff in Error,	In Error to the Circuit Court of the United States for the District of Indiana.
109	vs.	
	Henry Horst	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Indiana.

per Mr. Justice Swayne.

Emory E. Norton, Assignee of John Heinn, and Mary Heinn, Bankrupts.
105 Vs. Plff in Error.
Edgar A. Switzer

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs in this Court.

Per Mr. Justice Clifford

Frederick Norhold.
125 Vs. Plff in Error.
Clark V. Upton, Assignee of the Great Western Insurance Company, a Bankrupt.

In Error to the Circuit Court of the United States for the Northern

District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with Costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Chief Justice Waite.

Antonio Ygnaga Del Valle
765 vs. Peffs in Error.
Charles H. Harrison and
Samuel L. Lyons, Intervenor
& Third Opponents.

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and

on the motion of Mr. Edward Janin to dismiss which was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the writ of Error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite

James D. Fennerty and
Charles E. Peck.
317 vs. Appellants.
Archibald Roane,
Executor &c.

On consideration of the motion of Mr. Hawes to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Waite.

The United States
in Error
vs. Pltff in Error
Annie Fox. et al.

On account of the very great importance of the questions presented by this record we desire to have them argued orally. The case

will therefore be set down for re-argument at any time that may suit the convenience of counsel. If they cannot agree upon a time for the hearing we will make such further order as may be necessary upon being moved in that behalf.

Per Mr. Chief Justice Waite.

The United States
vs.
Francisco Gros Claude.

Mr. A. G. Riddle presented the certificate of the Clerk of the Court of Claims and moved the Court under the 9th rule to have this cause docketed and dismissed. On consideration whereof it appearing to the Court from the inspection of the certificate of the said Clerk that no appeal has been allowed in this cause it is now here ordered by the Court that said motion be, and the same is hereby denied.

per Mr. Chief Justice Waite.

Antonio Berreyesa, Admr
83 vs. Appellant
The United States

Mr. P. Phillips filed addition to record in this cause.

Antonio, Berreyesa, Admr
83 vs. Appellant
The United States.

Mr. P. Phillips informed the Court that Mr. Carpentier does not desire to file brief in this cause under permission granted him.

F. Hufschmaker
135 vs. Piff in Error,
Alfred Slidell et al.

Josephine Hall Ames, Extx &c
668 vs. Piff in Error,
The Heirs of John Slidell

Josephine Hall Ames, Extx &c
669 vs. Piff in Error.
The Heirs of John Slidell.

On motion of Mr. P. Phillips leave is hereby granted the Clerk, to issue the Mandate in these cases.

Horace B. Claflin
48. vs. Pltff in Error.
Julius Houseman,
Assignee &c.

On motion of Mr
J. D. McPherson
leave is hereby
granted the Clerk
to issue the
mandate in this cause.

The United States.
944. vs. Appellants.
Thomas W. Sweeny.

Mr. Enoch Totten
of counsel for the
appellee having
filed a motion
in open Court the following subpoena
to wit.

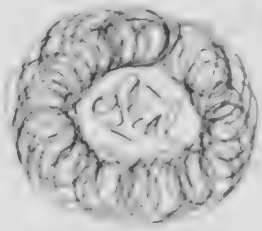
"In the Court of Claims.

Thomas W. Sweeny
vs.
The United States.

No. 6499.

I certify that a judgment
in favor of the claimant aforesaid in
the sum of Seven hundred and sixty
Eight Dollars and Eighty-one cents, was
rendered by the Court of Claims, May
17th A. D. 1875, and from said judgment
an appeal to the Supreme Court of the
United States was taken August 11th

A. D. 1875 by the defendants.



In testimony whereof, I herunto set my hand, and affix the seal of said Court of Claims this 13th day of December A. D. 1876.

John Randolph
Asst. Clerk Ct. of Claims.

And having stated that the appellant has altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this appeal from the Court of Claims be and the same is hereby docketed and dismissed, And that this cause be and the same is hereby remanded to the said Court of Claims to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

The Engelman Transportation Company, claimant of the Propeller 'Manistee' vs. The Traders Insurance Company of Chicago and the Orient Mutual Insurance Company of New York. | Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin and on the motion of Mr. E. J. Durant in behalf of Counsel it is now here ordered, adjudged and decreed, by this Court, that this appeal be and the same is hereby, dismissed, each party paying their own costs.

Per Mr. Chief Justice Waite

The State of Missouri to use of the Pacific Railroad Company. 285 vs. Pff in Error G. K. Dulle, Joseph Stauffli, C. F. Lohman, Fr. F. Cooper & John G. Schatt.

In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri and on the motion of Mr. T. J. Durant in behalf of counsel- It is now here ordered and adjudged by this court that the writ of Error in this cause be, and the same is hereby dismissed with costs

per Mr. Chief Justice Waite.

The Pacific Railroad Company. 286 Ts. Pff in Error The County of Cass and A. S. Briant

In Error to the Supreme Court of the State of Missouri.

This cause came on to be heard on the transcript of the record from the

Supreme Court of the State of Missouri.
And on the motion of Mr. T. J. Durant in
behalf of counsel it is now here ordered
and adjudged by this Court that the
writ of Error in this cause be and the
same is hereby dismissed with Costs.
See Mr. Chief Justice Waite.

James Callanan jr.
115 Vs. Appellant
Michael Hurley

The argument of
this cause was
continued by Mr.
T. J. Durant of

Counsel for the appellee and concluded by Mr. George G. Wright of Counsel for the Appellants.

Freeman & Adolph
De Barry.
564 Vs. Plffs in Error.
Charles Arthur, Collector.

(Assigned.) The argu-
ment of this cause
was commenced by
Mr. Stephen P. Black
of Counsel for the

plaintiffs in Error.

Proclamation being made the Court is adjourned
until tomorrow at twelve o'clock

Tuesday December 5, 1871.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices.

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

William M. Bond & al.
vs. (Bill in Equity)
John W. Moore.

On motion of Mr. Merriam it is ordered that this cause be passed when reached, to be argued orally or submitted on or before the 18th instant.

121

Frederick & Adolph De Barry
564 vs. Plffs in Error,
Charles C. Arthur, Collector

The argument of this cause was continued by Mr. Stephen G. Clarke of counsel for the plaintiffs in Error, by Mr. Assistant Attorney General Smith of counsel for the defendant in Error, and concluded by Mr. Clarke for the plaintiffs in Error.

The Lake Superior and
Mississippi Railroad Comp'y
187 vs. Appellant
The United States

The Atchison Topeka
& Santa Fe R. R. Co.
673 vs. Appellant
The United States

The argument of these causes was commenced by Mr. W. H. Smith of counsel for the appellant in No. 187, by Mr. Thomas H. Talbot of counsel for the appellant in No. 673, and continued by Mr. Solicitor General Phillips of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow, at twelve o'clock.

Wednesday December 6th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne,
Samuel F. Miller, Associate
David Davis Justices
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt,

John G. Nicolay, Esquire Marshal.
Daniel Wesley Middleton Clerk.

On motion first made to the Court in this behalf by Hon. Martin I. Townsend it is ordered that Wm. N. Hale, Esquire of Albany, State of New York be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips

it is ordered that S. W. Goodrich Esquire of Marlin State of Texas, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Mc Knight
715 vs. Appellant
The City & County of
San Francisco,

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. W. Holladay of counsel for the appellant, and by Mr. Delos Lake for the appellee under the 20th rule.

The Lake Superior and
Mississippi Railroad Co,
487 vs. Appellant
The United States

And

The Atchison, Topeka and
Santa Fe Railroad Company
673 vs. Appellant
The United States

The argument of these cases was continued by Mr. Solicitor General Phillips of counsel for the appellee, and concluded by Mr. E. K. Hall of counsel for the appellant in No. 673.

John Dunbar et al.
133. vs. Appellant
Margaret Myers Exrx
(Mod
Margaret Myers, Exrx
737 vs. Appellant,
John Dunbar et al.

The argument of these cases was commenced by Mr. F. H. Bell of Counsel for the Appellants in No. 737 the complainant below and continued by Mr. S. J. Glassey of counsel for John Dunbar and Jeremiah Kepner.

Wm. H. Bond et al.
131 vs. Plffs in Error
John D. Moore,

Ordered by the Court that this cause be passed in pursuance of the order entered on the 5th instant.

Proclamation being made the Court is adjourned until tomorrow at nine o'clock

Thursday December 7th 1876

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate Justices
David Davis — Associate Justices
Stephen J. Field — Associate Justices
William Strong — Associate Justices
Joseph P. Bradley — Associate Justices
Ward Hunt — Associate Justices

John G. Nicolay Esquire, Marshal
Daniel Wesby Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles S. Blatchford it is ordered that Robert H. Parkinson, Esquire, of Cincinnati State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex-parte: John Blake,
(&) John Leonard.
14 Original. Petitioners

On motion of Mr. Enoch Totten it is ordered that leave be, and the same is hereby granted him to file petition for writ of prohibition in this cause, and that said petition be assigned for argument on Monday the 18th instant.

John Dunbar et al
123 vs. Appellants.
Margaret Myers, Ext.
(and)
Margaret Myers, Ext.
737 vs. Appellant
John Dunbar, et al.

The argument of these cases was continued by Mr. S. J. Glassey and Mr. C. F. Blake of counsel for the appellants in No. 123 and Appellees in No. 737 and concluded by Wm. H. Bell of counsel for the appellant in No. 737, and Appellee in No. 123.

Annie L. Watts
127 vs. Appellant
Charles Hill & Jr. Gamble.

This cause was submitted to the Court.

ation of the Court on the record and printed arguments by Mr. Jason Niles of counsel for the appellees. No counsel appearing for the appellant

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The New Orleans Canal and Banking Company, et al.	On motion of Mr. P. Phillips it is ordered
128 vs. Appellants.	that this cause
N. B. Montgomery.	be and the same

is hereby continued to the next term of this Court.

The United States	The argument
129 vs. Appellants	of these cases
The Philadelphia & Southern	was commenced
Mail Steamship Company.	by Mr Assistant
	Attorney General
The Philadelphia & Southern	Smith of counsel
Mail Steamship Company	for the United
130 vs. Appellants.	States, continued
The United States.	by Mr. T. J. Durant
George and Pursglove	of counsel for
628 vs Appellant	the Pursglove
The St. Ship Juniata &c	and by Mr

M. P. Henry of counsel for the appellees in Nos 529. and 628, and appellants in No. 130.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Friday December 1st 1876.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate Justices
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. W. Denver it is ordered that William Hayden Esquire of Salt Lake City, Utah Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Lake Superior & Mississippi Railroad Company
115 vs. Appellant.
The United States

And

Chicago Nelson, Sioux & and South Eastern Railroad Company.
673 vs. Appellant
The United States.

On motion of Mr. Shellabarger leave is hereby granted him to file brief in these cases.

The United States
129 vs. Appellant,
The Philadelphia & Southern Mail Steamship Co.

The Philadelphia & Southern Mail Steamship Co.
130 vs. Appellants
The United States.

(And)

George Pumyeau
628 vs. Appellant
The Steamship "Juniata."

The argument of these cases was continued by Mr. Morton P. Henry of Counsel for the appellees in Nos. 129 and 628, and appellants in No. 130. by Mr. Assistant Attorney General Smith, of Counsel for the United States, and concluded by Mr. Thos. J. Durant of Counsel for George Pumyeau the

appellant in No. 628.

Wm. F. & Lucy B. White.
149 vs. Off in Error.
Nicholas Luning

The argument of this cause was commenced by Mr. M. Blair of counsel for the plaintiff in Error, continued by Mr. William Henry Bould of counsel for the defendant in Error, and concluded by Mr. M. Blair for the plaintiff in Error.

The United States
131 vs. Off in Error.
John A. Thompson Ex'd.

The argument of this cause was commenced by Mr. Assistant Attorney General Smith of counsel for the plaintiff in Error. Further argument of this cause postponed until Monday next provided Mr. Smith desires to argue the question of jurisdiction. No counsel appearing for defendant in Error.

Friday December 8th 1815 Continued

Joseph Dalton,
123 vs. Pff in Error
Abraham G. Jennings

This cause was argued by Mr. Thos Swartwood of Counsel for the plaintiff in Error, and by Mr. A. V. Briesen of Counsel for the defendant in Error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

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Monday December 11th 1876.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
Joseph P. Bradley
Ward Hunt

} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion Lisle made to the Court in this behalf by Mr. J. L. Hatfield it is ordered that John S. Abbott, Esquire, of Boston, State of Massachusetts, be admitted to practise as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. W. Bangs, it is ordered that Flamen B. Candler, Esquire, of New York City be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

Robert P. Dodge, Philip C. Daniels, Emile Daniels, Wm. Hillman & L. Dunlop. — Appellants

150 vs. —

The Freedmans Savings & Trust Company.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs. per Mr. Justice Hunt.

The State of Florida
Complainant
3 Orig.l vs.
Edward C. Anderson jr.
and others,
Defendants

Final Decree.

Application being made in this case in behalf of a copartnership firm by the name of Lyles and Gibson for the payment of a bill for supplies furnished for the rail roads in charge of Robert Walker, the receiver, shortly before his appointment and which supplies came to his hands and possession as such receiver, by the consent of Sherman Conant to whom the said supplies had been consigned; and said bill having never been paid; and it seeming Equitable and just, and the consent of the Counsel for complainant being given thereto, it is ordered that the register do pay said bill to said firm of Lyles and Gibson or their attorneys amounting to the sum of fifteen hundred and ninety five dollars

and ninety five cents.

And whereas the said receiver in his twelfth report states that a few days before he took possession of said railroads John C. Clark and S. B. Hubbard severally furnished to Jonathan C. Gray former receiver certain supplies which all or nearly all came into the hands of said Master receiver and were used by him in repairs, said Clarks bill amounting to fifty Eight dollars and seventy five cents and said Hubbards to sixty six dollars and ninety six cents, and said bills having never been paid; it is ordered that the register pay said bills to the said parties, or their attorneys respectively.

It is further ordered that the register do also pay such additional costs of the officers of this Court as have been incurred since the decree made on the first day of May last and not yet paid; and that he be authorized to pay one per cent of all moneys

received, for his Commission upon the same.

It is further ordered that the balance of moneys in the registry of the Court be paid by the Register to the Treasurer of the State of Florida to be disposed of according to the trusts that have been or may be declared of and concerning the same by the Supreme Court of Florida, or other Court of said State having jurisdiction of the premises.

It is further ordered that the application of Daniel R. Holland for the said balance and surplus be denied.

per Mr. Justice Bradley.

Richard A. Windsor, David Windsor, Frederick P. Windsor devisees of Frederick Windsor, David Windsor, Executors of Richard Windsor deceased

vs.

William F. McVeigh.

In Error to the Corporation Court of the City of Alexandria, State of Virginia.

118

This cause came on to be heard on the

transcript of the record from the Corporation Court of the City of Alexandria, State of Virginia, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Corporation Court in this cause be and the same is hereby affirmed with costs and interest, on the amount of damages recovered, until paid at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

Dissenting.
Mr. Justice Hunt
" " Miller
" " Bradley.

per Mr. Justice Field.

Ann Gregory.
103. vs. } In Error to the
William A. V. Veitch. } Corporation Court of the City of Alexandria, State of Virginia.

This cause came on to be heard on the transcript of the record from the

Corporation Court of the City of Alexandria and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Corporation Court, in this cause be and the same is hereby affirmed with costs and interest on the amount of damages recovered, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

Dissenting
Mr. Justice Hunt
" " Miller
" " Bradley.

} Mr. Justice Field.

Henry P. Bigelow
Surviving Administrator
of Henry W. Bigelow, dec'd
1244 Vs. Pff in Error,
The Berkshire Life Ins. Co.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard

on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel - On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

Per Mr. Justice Davis.

	Richard C. Kimball, George S. Shorb & William C. Kimball vs. William M. Evans, Elijah Grant, Joseph C. Richards, Jacob Miller, et al.	In Error to the Supreme Court of the State of Ohio.
11	Plffs in Error	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause

be and the same is hereby dismissed for want of jurisdiction.

Per Mr. Chief Justice Waite.

Antonio Berreyesa, Admr of Nicholas Berreyesa, decd
83 vs. Appellant
The United States

Appeal from the District Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of California, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the said District Court, in this cause be and the same is hereby affirmed.

Per Mr. Chief Justice Waite.

Annie L. Watt
127 vs. Appellant
Charles Hill & Dix Gamble.

Appeal from the District Court of the

United States for the
Northern District of Mississippi

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Mississippi, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed, by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed with costs,

per Mr. Chief Justice Waite.

Milo Hoadley
vs. Appellant
The City and County
of San Francisco

Appeal from the
Circuit Court of
the United States
for the District of
California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by Counsel

Our consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Chief Justice Waite.

Charles E. Miswall, Charles G. Nazro and John D. Thompson	In Error, to the Circuit Court of the United States
895 vs. Pltffs in Error,	for the
George W. Campbell and Lawrence Proudfoot assignees of the Estate of Augustus A. Miswall, a bankrupt.	Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr. L. Proudfoot, to dismiss, which was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error, in this

caused be and the same is hereby dismissed for want of jurisdiction.

Per Mr. Chief Justice Waite.

Edward G. Hamlet, Admr &c.
Pltff in Error,
vs.
David Barton et al.

On motion of Mr. Ashton it is ordered that the motion to rescind and annul the judgment of dismissal entered in this cause, and to reinstate the same on the docket, be and the same is hereby postponed until Monday next the 18th instant.

Alphonse Des Marc
Appellant,
vs.
The United States

This cause was submitted to the consideration of the Court, on the record and printed argument by Messrs Durant and Horan of Counsel for the appellant and by Mr Solicitor General Phillips for the Appellee under the 20th rule.

Mr Solicitor General Phillips presented and submitted to the consideration of the Court Petition for an order directing a Special Session of the Circuit Court of the United States for the District of South Carolina in pursuance of section Revised Statutes Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Ex parte C. H. Jordan et al. Petitioners. | On motion of Mr. C. W. Bangs it is

13 Original.

ordered that the argument of the return to Rule in this cause be and the same is hereby assigned for argument on Monday the 18th instant.

George W. Wheeler, Plff in Error, | On motion of, Mr. C. W. Bangs, it is ordered that leave be

103. vs.

John Sedgwick, Assignee.

granted the Clerk to issue the mandate in this Cause.

D. E. Hinkley
vs. Appellant
Levi P. Morton,
George Bliss et al.

On consideration of the motion to docket and dismiss this cause, it appearing to the Court that the security for costs required by the 10th rule having been filed in compliance with the order entered herein on the 27th ultimo, it is now here ordered by the Court that said motion be and the same is hereby denied.

Per Mr. Chief Justice Waite.

The United States Trust Company of New York.
vs. Appellant
John Sedgwick, as Special receiver &c.

The motion to advance this cause and assign it for argument with Nos. 100 and 101. was submitted to the consideration of the Court on printed argument by Mr. C. H. Bangs in support of the same, and by Mr. Van Winkle in opposition thereto. Mr. F. Candler also filed affidavit in opposition to said motion. Whereupon the Court not being

now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Jno. S. Phipps et al.
100 vs. Appellants
Edwd Sedgwick, Assignee vs.
Barker Place et al Ex.
101 vs Appellants
Edwd Sedgwick Assignee

Mr. Bangs moved the Court for an order assigning a day for the argument of these cases when the Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Charles W. Lowell
918 vs. Appellant.
Felix Le Carpentier

Mr. Edward Jamison of Counsel for the Appellee having filed and read in open Court the following certificate, to wit:

Circuit Court of the United States Fifth Circuit District of Louisiana, Clerk's Office.

I, F. A. Wolfley, Clerk of the

Circuit Court of the United States, fifth Circuit and District of Louisiana, do hereby certify that in the cause of Felix La Rue, plaintiff -vs- Charles W. Lowell, defendant, No. 7424 of the dockets of said Court, a final decree was rendered and signed on the 26th day of May 1875, against the said defendant Charles W. Lowell, wherein it was in substance ordered and decreed that "Executory process issue as prayed for and according to law," and thereupon a writ of seizure and sale was issued on the same day out of the said Court and under the seal thereof addressed to the Marshal of the United States for the District of Louisiana, commanding him to seize and sell the real estate described in said writ of seizure and sale in manner and form as prayed for in Plaintiffs Bill of Complaint or Petition to satisfy the claim of said Complainant Felix LaRue, amounting to an aggregate sum of Five Thousand and nine Hundred Dollars, and interest accrued by

mortgage on the said real estate and likewise on the same day a notice was issued out of said Court addressed to the defendant demanding payment of the sum of money specified in said writ of seizure and sale, which notice and demand was served upon said defendant Lowell on the 7th day of June 1876 and that on the 26th day of June 1876 an appeal to the Supreme Court of the United States to operate as a supersedeas was allowed to the said Charles W. Lowell returnable on the second Monday of October A. D. 1876.

In testimony whereof I have hereunto subscribed my name and affixed the seal of said Circuit Court this Eighth day of December A. D. 1876.

F. A. Woolfley,
"Clerk"

And having stated that the said appellant had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, now here

moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the appeal from the Circuit Court of the United States for the District of Louisiana be, and the same is hereby dismissed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Justice Waite

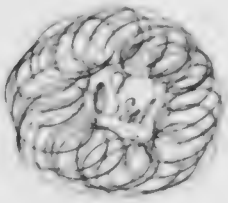
No 98 The United States Appellant
vs. Louis Deutsch for the use of Charles Wolf

Mr J. J. Wood of Counsel for the appellee having filed and read in open Court the following certificate, to wit:

In the Court of Claims
Louis Deutsch for the use of Charles Wolf
vs
The United States

No. 9864

I certify that a judgment was rendered by this Court in favor of the claimant aforesaid in the sum of Twelve Hundred and fifty dollars, on the 17th day of May A. D. 1875 and that an application for an allowance of an Appeal to the Supreme Court of the United States was filed by the Attorney General in behalf of the defendants from said judgment and that said appeal was allowed by the Chief Justice of the Court of Claims, August 11th A.D. 1875.



In testimony whereof I hereto set my hand and affix the seal of said Court of Claims this fifth day of December A.D. 1876.

John Randolph
Ass't Clerk Ct. of Claims

And having stated that the said appellants had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal - Now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed - On

consideration whereof it is now here ordered and adjudged by this court that this appeal from the Court of Claims be, and the same is hereby, docketed and dismissed. And that this cause be and the same is hereby remanded to the said Court of Claims to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite

The United States, Appellants
950 vs.
Christian Kinsinger.

Mr. J. J. Ware of counsel for the appellee having filed and read in open court the following certificate, to wit:

In the Court of Claims.

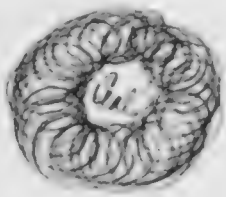
Christian Kinsinger.

vs. | No. 9838.

The United States.

I certify that a judgment was rendered by this Court in favor of the Claimant aforesaid in the sum of fifteen hundred dollars, April 19, 1875 and that an application for an allowance of an appeal to the Supreme

Court of the United States was filed by the Attorney General on behalf of the defendants and that said appeal was allowed by the Chief Justice of the Court of Claims July 1st 1876.



In testimony whereof I have set my hand and affix the seal of said Court of Claims this fifth day of December A.D. 1876.

John Lamb Cl.

Asst. Clk. Court of Claims.

And having stated that the said Appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, now here moved the Court, in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that this appeal from the Court of Claims be, and the same is hereby docketed and dismissed. And that this cause be, and the same is hereby remanded to the said Court of Claims to be proceeded in according

to law and justice.

per Mr Chief Justice Waite.

The United States
395 vs. Appellant,
The State National
Bank of Boston.

The motion to remand the record in this cause to the Court of Claims for further findings was argued by Mr. Assistant Attorney General Smith in favor of the same and by Mr. Sidney Bartlett and Mr. C. P. S. Goodrich in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

The United States
1011 vs. Cliff in Error
Annie Fox et al.

On motion of Mr. Assistant Attorney General Smith it is ordered that this cause be assigned for re argument on Monday the 15th of January 1877.

Cornelius Storm et al.
23 vs. Plffs in Error
The United States.

This cause was fully submitted to the consideration of the Court on printed argument filed by Mr. Browne for the plaintiffs in Error under leave thereto fore granted.

Heyman Oelsberg
931 vs. Appellant
The Union Trust Company of New York, et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. R. Doolittle of Counsel for the appellant, and by Mr. C. B. Sherman of Counsel for the appellees under the 20th rule.

Washington Ecotn R.R. Co
133 vs Plffs in Error
J. H. Glass et al

This cause was argued by Mr. J. J. Wallis, of counsel for the defendants, in Error, and submitted on printed argument by Mr. T. E. Sugerson for the plaintiffs in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve oclock.

Tuesday December 12th 1876.

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford,
Noah H. Swayne,
Samuel F. Miller, Associate
David Davis, Justices.
Stephen J. Field,
William Strong,
Joseph P. Bradley,
Ward Hunt.

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion duly made to the Court in this behalf by Mr. C. Phillips, it is ordered that Hon. Charles E. Hooker of Jackson, State of Mississippi be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The United States
38 vs Appellant.
The Union Pacific
Railroad Company.

On motion of Mr. Solicitor General Phillips it is ordered that five hours be allowed each side in the argument of this cause.

The Board of County Commissioners County of Douglas
615 vs Plffs in Error.
M. & M. S. Bailey.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Nelson Cobb Mr. Wilson Shannon and Mr. H. H. Nevison of Counsel for the plaintiffs in Error and by Mr. John S. Abbot for the defendant in Error under the 20th rule.

The United States
131 vs Plffs in Error.
John H. Thompson et al.

The argument of this cause was concluded by Mr. Assistant Attorney General Smith of Counsel for the plaintiffs in Error on the question of

jurisdiction.

	Nathan C. Russell	These cases were
134	vs. Appellant	argued by Mr.
	Isaac J. H. Clark.	W. C. Smith of
		counsel for the
	Nathan C. Russell	appellants and
135	vs. Appellant.	by Mr. F. A. Yates
	Samuel Dodge, Sr.	jointly of counsel
	Samuel Dodge jr.	for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Wednesday December 13th 1876

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis.
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
Associate Justices.

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

James H. Alvord, Franklin Shisler, James Baker, John Wood & Loyal P. Brown. Plffs in Error,
vs.
The United States.
580
In Error to the Supreme Court of the Territory of Idaho

This cause came on to be heard on the

transcript of the record from the Supreme Court of the Territory of Idaho and on the motion of Mr. C. S. Williams of counsel for the plaintiffs in Error, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed.

per Mr. Chief Justice Waite.

The United States
38 Vs. — Appellant
The Union Pacific
Railroad Company, et al.

The argument of this cause was commenced by Mr. Aaron T. Perry of counsel for the appellant, and continued by Mr. Wm M. Evarts, of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 14th 1876

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable	Morrison R. Waite,	Chief Justice.
	Nathan Clifford	Associate Justices.
	Noah H. Swayne,	
	Samuel F. Miller,	
	David Davis,	
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt,	

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Henry Beard, it is ordered that C. E. Bretherton, Esquire of Lawrence, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips it is ordered that Charles E. Flandrau, Esqr. of St. Paul, Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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38 The United States vs. The Union Pacific Railroad Company et al. Appellant

The argument of this cause was continued by Mr. Wm. M. Evarts and Mr. Sidney Bartlett of Counsel for the appellees and concluded by Mr. Solicitor General Phillips of Counsel for the appellant. Mr. J. H. Ashton of Counsel for the appellant also submitted printed argument.

Mary A. Pearson et al. heirs of Robert & Jane Chapman, deceased. vs. Peff in Error. J. & Anne Jane Yeudall.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. W. H. Hillsbunt

in support of the same, and by Mr T Carroll Brewster in opposition thereto.

The County of Randolph,
591 vs. Plff in Error.
Augustus F. Post.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Jno. W. Palmer of counsel for the plaintiff in Error and by Mr. S. M. Curran for the defendant in Error under the 30th rule.

Henry Heulz et al.
136 vs. Appellants
The St. Ship Idaho &c.

The argument of this cause was commenced by Mr. P. F. Morris of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday December 15th 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered that Sam. Fra. Smith, Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Ex parte: Madison Doom.
10 Original. Petitioner.

On motion of Mr. H. M. Shelby it is ordered that the petition for writs of Habeas Corpus and Certiorari in this cause be assigned for argument on Wednesday the 20th instant.

The National Bank of the Commonwealth of Pittsburgh City.
705 vs. Pltff in Error.
The Mechanics National Bank of Trenton, New Jersey.

Mr. Solicitor General Phillips filed and submitted to the consideration of the Court motion to advance this cause.

Nicholas H. Casey, as Receiver of the New Orleans National Banking Association
vs.
Count Coffredo Galli.

Mr. Charles Case by leave of the Court filed motion for leave to enter and prosecute this case as an original action in this Court.

Henry Heulz et al.
136 vs. Appellants
The St. Ship Idaho &c.

The argument of this cause was continued by Mr. R. T. Merrick of counsel for the appellants by Mr. W. G. Choate of counsel for the appellee, and concluded by Mr. Merrick for the appellants.

Peter Lyman
138 vs. Appellant.
St. Boat John L. Hasbrouck.

(Substituted for No. 137.)
The argument of this cause was commenced by Mr. Wm. Allen Butler of counsel for the appellant

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Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday December 13th 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present,

The Honorable	Morrison R. Waite,	Chief Justice.
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller,	Associate
	David Davis	Justices.
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt,	

John G. Brooks Esquire, Marshal.
David Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Solicitor General Phillips it is ordered that William Patrick, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

Frederick De Barry and
Adolph De Barry
364 vs. Plffs in Error.
Chester A. Arthur, Collector of the Port of New York.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Hunt.

James Callanan jr.
115 vs Appellant
Michael Hurley

Appeals from the Circuit Court of the United States for the

District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the Bill.

Per Mr. Justice Strong.

Daniel R. Brandt, Appellant
56 vs.
The Virginia Coal and Iron Company and Jesse Sinclair

Appeal from the Circuit Court of the United States for the District of West Virginia.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for

the District of West Virginia and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Dissenting Mr Justice Field
Mr Justice Strayne
" " Davis

William F White and Lucy B White
vs. Plffs in Error.
Nicholas Luning

In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel.

On consideration whereof it is now here

ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs

per Mr. Justice Davis.

Joseph Dalton,
Appellant.
vs
Abraham E. Jennings

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Miller.

The United States
129 vs. Appellants
The Philadelphia &
Southern Mail Steamship
Company. Claimants of
the Steamship "Juniata" &c

The Philadelphia and
Southern Mail Steamship
Company. Claimants of the
Steamship "Juniata" &c
C. Schneider.
130 vs. Appellants
The United States.

George Quesglow
628 vs. Appellant
The Steamship Juniata &c et al.

Appeals from
the Circuit
Court of
the United
States for
the District
of Louisiana.

These causes came on to be heard on the
transcripts of the record from the Circuit
Court of the United States for the District
of Louisiana, and were argued by counsel.
On consideration whereof it is now here
ordered adjudged and decreed by this

Court that the decree of the said Circuit Court in these causes, be and the same is hereby modified so as to require full payment to be made to the United States by the claimants of the Steamship Juniata of all damages sustained as found by the Commissioner. In all other respects the decree is affirmed. Costs in this Court to be equally divided between Pursglove and the claimants of the Steamer.

Per Mr. Justice Swayne.

John Dunbar and Jeremiah Hopper

123 vs. Appellants

Margaret Myers, Executrix, of John Myers, deceased, & Eugene S. Cunson.

(and)

Margaret Myers, Executrix of John Myers dec'd & Eugene S. Cunson

783 vs. Appellants

John Dunbar and Jeremiah Hopper.

Appeals from the Circuit Court of the United States for the Southern District of New York.

These causes came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and were argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree dismissing the bill of complaint. Costs in this Court to be paid by the complainants.

Per Mr. Justice Clifford.

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731 Russell Sage et al
Intervenors
vs
The Central Railroad Company of Iowa et al
Appellants

On consideration of the motion to vacate the supersedeas in this cause and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that

said motion be and the same is hereby granted.

Dissenting Mr. Justice Miller Mr. Justice Field

per Mr. Chief Justice Waite.

Russell Sage et al Intervenors
731 vs. Appellants
The Central R.R. Co. of Iowa.

On consideration of the motion to dismiss this appeal, and of the argument of counsel thereupon, as well in support of as against the same, it is now here ordered by the Court that said motion be and the same is hereby denied.

per Mr. Chief Justice Waite.

Russell Sage et al Intervenors
731 vs. Appellants.
The Central R.R.Co. of Iowa.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be and the same is hereby denied. In this case

Catherine F. Sawin, Admx
of Daniel C. Sawin, deceased.
114 vs. Pff in Error.
Dennis G. Kenny, Survivor.

In Error to
the Circuit
Court of the
United States
for the Eastern

District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments in the Courts of the State of Arkansas.

per Mr Chief Justice Waite

The United States
395 vs. Appellant
The State National
Bank of Boston.

On consideration of
the motion to re
mand this cause
to the Court of Claims

for further findings and of the argument of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said motion be and the same is hereby denied

per Mr. Chief Justice Waite.

The United States Trust Company of New York
1158 vs. Appellant.
John Sedgwick, as Special receiver &c.

On consideration of the motion to advance this cause for argument with Nos. 100 and 101 and of the argument of counsel thereupon had as well in support of as against the same, it is now here ordered by the Court that said motion be and the same is hereby denied.

per Mr. Chief Justice Waite

Nicholas W. Casey
Receiver &c.
15 Orig. vs
Count Goffredo Galli.

On consideration of the motion of Mr. C. Case, it is ordered that leave be and the same

is hereby granted to enter and prosecute this cause, as an original action in this Court and that a summons issue returnable on the first Saturday in January and requiring the defendant to plead or demur to the declaration on or before the fourth Monday of the same month Every Monday thereafter shall be a rule day until the issues are made up.

per Mr. Chief Justice Waite.

The National Bank of the Commonwealth of New York City. Plff in Error.
vs.
The Merchants' National Bank of Trenton, New Jersey.

On consideration of the motion of Mr Solicitor General Phillips it is now here ordered by the Court that this Cause be advanced. The question in dispute is one of practical importance in the administration of one of the departments of the government. If the parties cannot agree upon a time for the hearing one will make such further order in that behalf as may be necessary per Mr Ch J. Waite.

105

Mary A. Pearson et al.
721 vs. Pltff in Error
John Yewdall et al.

This record presents nominally a federal question, but it is of such a character that we think under our Rule 6 as amended at the last term, a motion to affirm might properly have been united with the motion to dismiss. Leave is granted the defendants in Error to amend their motion in this particular if they see fit, and a decision will be deferred for that purpose.

per Mr Chief Justice Waite.

Amendment to Rule 6.

Add at the end of section 1.

One hour on each side shall be allowed to the argument of a motion and no more without special leave of the Court, granted before the argument begins.

Order.

The Chief Justice announced to the Bar that the Court will adjourn on Friday until Monday the 8th of January 1877.

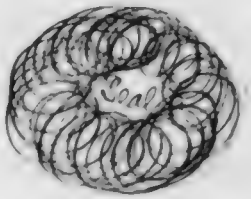
934. The United States vs. Frederick Gros. Claude. | Appellants | Mr. A.G. Riddle of counsel for the appellee having filed and read in open Court the following certificate, to wit:

In the Court of Claims.

Frederick Gros. Claude. vs. The United States | No. 2828

I certify that judgment was rendered in the Court of Claims May 17th 1875 in favor of the claimant aforesaid in the sum of four hundred and sixty three dollars and fifty eight cents and that application for an allowance of appeal to the Supreme Court of the United States from the said judgment was filed by the Attorney General on behalf of the defendants August 11th 1875, and that said application for appeal was allowed by the Chief Justice of the Court of Claims at Chambers.

In testimony whereof I hereunto



set my hand and affix the Seal of said Court of Claims, this 18th day of December 1876.

John Randolph.
Asst Clerk Court of Claims.

And having stated that the said Appellant had altogether failed to file the record of said Cause in this Court or in any way to prosecute said appeal, Now hereupon moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed.- Upon consideration whereof it is now here ordered and adjudged by this Court that this appeal from the Court of Claims be, and the same is hereby docketed and dismissed.- And that this cause be and the same is hereby remanded to the said Court of Claims to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

	Richard A. Windsor et al.	On motion
118	vs. Plffs in Error.	of Mr. Phillips
	William N. McVeigh.	ordered that
		leave be, and
	Ann Gregory	the same is
163	vs. Plffs in Error.	hereby granted
	William N. McVeigh.	the Clerk to
		issue the

mandates in these causes

	E. H. Ufferson & Co. et al.	Mr. P. Phillips
955	vs. Plffs in Error.	of counsel
	The City of Memphis	for the defend
	Fred. C. Shafer, Tax Collector	ants in Error
	of said City.	having filed
		and read

in open Court the following certificate, to wit:

United States Circuit Court
Western District of Tennessee.

Proceedings had in the Circuit Court of the United States for the Sixth Judicial Circuit thereof Western District of Tennessee, at a regular Term of said Court begun and held for the November

Term A. D. 1875, at the Federal Court Rooms in the City of Memphis, on, to wit, the 20th day of May 1876 and days subsequent thereto in the following cause,—

E. M. Apperson
G. V. Rambaut

David Amos, }	Amos
Jos M. Bullie }	Bullie & Co.
S. Adler }	S. Adler & Bro.
N. Adler }	
T. H. Allen }	T. H. Allen & Co.
T. Nugent }	
R. A. Allison }	Allison Bros
J. W. Allison }	
W. S. Bruce }	W. S. Bruce & Co.
Jos. Bruce }	
J. Baxter }	J. Baxter & Co.
Joshua Brown }	
N. Norton }	Brown & Norton.
E. G. Barnaby }	E. G. Barnaby
J. J. Busby.	J. J. Busby & Co.
S. K. Brooks }	Brooks, Nealy &
J. C. Nealy }	
H. M. Nealy }	Co.

E. M. Apperson & Co.

F. M. Brodie }	Brodie, Mc
P. M. McIntire }	Intire & Co.
A. M. Boyd }	A. M. Boyd & Son
Milton Boyd }	
G. Baum }	Baum & Hochstader
M. Hochstader }	
W. F. Brown }	Brown & Jones
N. M. Jones. }	
W. J. Berlin & A.	
P. R. Bohlen }	Bohlen, Hunt & Co.
R. C. Graves }	
Thos. Loomis & A. }	
P. H. Boyson }	Boyson & Camp
S. J. Camp }	
W. F. Boyle }	Boyle & Chapman
A. H. Chapman }	
J. S. Wilkins	F. W. Clark & Co
T. B. Coffey }	T. B. Coffey & Co.
Walter Merriman }	

H. Bloch	
J.C. Fricke	
G.H. Herbers	Bloch & Kellman
B.H. Carbery	
Thos. Casey	Carbery & Casey
R.H. Cochran	
S.A. Hatcher	R.H. Cochran & Co.
M. Cunningham	M. Cunningham
M.J. Cole	
S.J. Shaw	Cole & Co.
E.L. Cleaves	E.L. Cleaves
G.M. Dillard	
P.S. Coffin	Dillard & Coffin
J.S. Day	
H.P. Roudfit	
R.A. Spicer	Day & Roudfit
J.F. Dowdy	J.F. Dowdy & Co.
F.M. Pratt	F.M. Pratt & Co.
C.A. Erick	C.A. Erick
G.A. Eckerly	
H.J. Eckerly	
W.A. Eckerly	G.A. Eckerly & Bros.
J.N. Ellis	
Jno. C. Fizer	Ellis, Fizer & Co.
E.H. Edwards	
J.M. Pettigrew	Edwards & Pettigrew & Co.
Solomon Friedman	
Jacob Friedman	Friedman & Bros
Isaac W. Snowden	
H. Furstenheim	H. Furstenheim & Co
D.S. Ferguson	
N.C. Humphries	Ferguson & Humphries
J.S. Ferguson	
J.G. Hurd	
C.C. Hein	J.S. Ferguson & Co.
Wm. Frank	
H. Bejach	Wm. Frank & Co.
Robert Fletcher	Robert Fletcher
J.P.S. Gilliland	
Jas M. Goodbread	
J.L. Goodbread	
Wm. Goodbread	Goodbread & Gilliland.
G.W. Goyer	
J.K.M. Duvall	
C.B. Cather	G.W. Goyer & Co.
M. Gavin	
J.S. Sullivan	
Thos Clark	
M.J. Clark	M. Gavin & Co.

A. B. Calhoun	
W. J. Crawford	
J. M. Fowlkes	A. B. Calhoun
W. A. Goodwin	A. B. Goodwin
Jno. R. Goodwin	
L. D. Matthews jr	
S. A. McCallum	J. R. Goodwin & Co.
J. S. Kelcher	J. S. Kelcher & Co.
H. B. Howell	H. B. Howell
A. L. Harris	
W. B. Mallory	Harris Mallory & Co.
P. F. Kerron	
Jas. Conner	Kerron & Conner
D. F. Haddan	
L. M. Avery	
J. M. Farmington	Haddan & Avery
A. Hill	
Jerome Hill	
A. Fontaine	Hill Fontaine & Co.
W. S. Kennedy	
S. S. Campbell	
J. C. Brunner	Kennedy, Campbell & Co.
J. M. Hill & Co.	J. M. Hill & Co.
C. Kerron	C. Kerron
M. Hensolsburg	M. Hensolsburg

H. Herzog	
L. Herzog	
H. Harner	Herzog & Bro
Haller S.	Haller S.
W. W. Gray	
J. H. McClelland	
T. C. Park	Gray McClelland & Co.
Wm Joiner	
H. F. Lemon	
T. Gayle	Joiner Lemon & Gayle.
J. M. James	
W. B. James	J. M. James & Son.
J. Judd	
Judd	J. Judd & Bro
Wm Jack	
A. Jack	
G. E. Russell	Wm Jack & Co.
R. S. Jones	Jones
Mrs M. Brown	Brown & C.
A. E. Kennedy jr	
M. L. Rudd	Kennedy & Rudd
S. Kaufman	
D. Kaufman	S. Kaufman & Bro
D. L. Lowenstein	
H. M. Lowenstein	

Lowenstein	Lowenstein & Bro.
A.W. Lauterback	Lauterback Bros.
M. Lauterback	
John Lilly	John Lilly
R.E. Lee	R. E. Lee
E.H. Leidy	E.H. Leidy
L. Lowenstein	L. Lowenstein & Bro
E. Lowenstein	
Renard Lowenstein	
L. Lewin	L. Lewin
G. Mitchell	Mitchell & Hoffman
R. Mitchell	
J.P. Hoffman	
S. Mansfield	S. Mansfield & Co.
J.M. Wood	
H. Mette	H. Mette & Son.
H.H. Mette	
M.P. Moore	M.P. Moore & Co.
J.F. Madkins	
W. McDonald	McDonald & Wentworth
J. Woodworth	
M.L. Meacham	M.L. Meacham & Co.
E.E. Meacham	
A.W. Roberts	
J.B. Poston	
J. Moore	Moore, Emery & Co.
J. Emery	
J.A. Moore	
S. Mosby	Mosby, Hunt & Co.
E.P. Hunt	
E.H. Martin	Martin & Co.
Jno. McLaughlin	John McLaughlin
J.A. Menken	Menken Bros
J. Menken	
N.D. Menken	
L. Iglauer	
J. Kuhn	
N. Miller	N. Miller
Phil. Mellon	Mellon & Co.
L. Ottenheimer	Ottenheimer & Schwartz
M. Schwartz	
E. Orgill	Orgill Bros & Co.
G.L. Denison	
A.S. McNeal	
Jno. T. Williams	
M.C. Pearce	Pearce, Suggs & Co.
L.B. Suggs	
L. Podesta	L. Podesta & Co
N. Malatesta	

C. H. Pomeroy		W. W. Schoolfield	
B. J. Moran	C. H. Pomeroy & Co.	L. Hanauer	
Porter D. T.		H. G. Miller	
W. F. Taylor		H. Thomas	Schoolfield Hanauer & Co
W. McRae	Porter Taylor & Co.	Pettit & Simpson	Pettit & Simpson
L. Podesta		J. T. Stratton	
Louis Podesta		J. C. Stratford	Stratton & Stratford
N. Malatesta	Bautaro Malatesta	J. A. Shane	
H. Rice		A. Harris	Shane, Harris & Co.
W. Stix		D. L. Sullivan	
B. Eisman		E. Sullivan	D. L. Sullivan & Bro.
F. Rice	Rice Stix & Co.	St Bernard Coal Co.	St Bernard Coal Co.
P. Roser	P. Roser	Singer Sewing M. Co.	Singer Sewing M. Co.
B. Rocco	B. Rocco	S. Sternberg.	Sternberg & Co.
Jas. Roser		Sick J. C.	J. C. Sick
John Roser	James Roser & Bro.	Schmidlapp	
M. Rosin		J. C. Schmidlapp	
Louis Rosin	Rosin & Bro.	J. Rice	
E. F. Rick	E. F. Rick & Co.	S. Jacob	Schmidlapp & Bro.
A. G. Roach		J. Schwab	
M. L. Roach	A. G. Roach & Co.	L. Schwab	Schwab & Co.
A. R. Sledge		Stout Charles	
W. M. Sledge		Stout Edwin	Charles Stout & Bro.
A. N. McKay	Sledge McKay & Co.	John W. Taylor	
B. J. Semmes	B. J. Semmes & Co.	Leo Jay.	Taylor Jay & Co

S. Tonbe	S. Tonbe
A.C. Treadwell A.B. Treadwell B.D. Treadwell	A.C. Treadwell & Co.
E. Urquhart J.D. Montaugh	E. Urquhart & Co.
Marsh.	Marsh & Co
Sol. Venaig.	S. Venaig
A. Vaccaro A.B. Vaccaro B. Vaccaro	A. Vaccaro & Co.
J. Sherwood J.W. Howe	Wheeler Pickens & Co
F.M. White Jas. Youngs F.H. White J.W. Caldwell	F.M. White & Co.
A. Woodruff	A. Woodruff & Co.
E.B. Walker F.H. Judah C.H. Meyer	Walker, Bros & Co.
J.C. Ward J.T. Walsh	J.C. Ward & Co
H. Weller Chs. Schwalzreid	H. Weller & Co
David Tellner C.H. Goldhamer	
James Sullon	James Sullon & Co

2198 vs

The City of Memphis and Fred C. Shafer Tax Collector of said City.

At a term of the Circuit Court of the United States for the Western District of Tennessee, began and held at Memphis Tennessee, the fourth Monday of November 1876 and on the 20th day of

May 1876. Present and presiding Honorable A. H. Emmons District Judge, upon the reading and filing of due and legal notice for writ of certiorari and injunction as prayed for in the petition filed and exhibited herein and the defendant acknowledging in open Court this due and legal service of said notice and thereupon the petition and the Exhibits thereto and the affidavits of Petitioners or Plaintiffs thereto having been read and the Court having heard the arguments of the Counsel of the respective parties and having duly considered the same and it appearing that there is no sufficient cause shown for granting the said writs prayed for it is therefore ordered adjudged and decreed that the motion and prayer for the said writs be refused and disallowed, and that the Court therefore ordering adjudging and decreeing that the defendants go hence and recover of the plaintiffs or petitioners the costs of this proceeding for which execution may issue and

on the same day to wit the 20th day of May 1876, the plaintiffs or petitioners prayed in open Court a writ of Error from said judgment of the Court, to the next term of the Supreme Court of the United States to be held at Washington D.C. and presented in open Court a proper appeal bond in the penalty of two hundred & fifty dollars conditional as required by law and the Court having approved the bond and securities, the said writ of Error is granted, and thereupon the Counsel of defendants in open Court, expressly waive the signing and service of citation and all notice of the writ of Error as required by law.

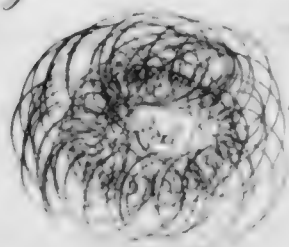
The United States of America
Sixth Circuit & District of West Tennessee

I Horace Estudevant Clerk of the Circuit Court of the United States for said District of West Tennessee do hereby certify that the paper here to attached is a full, true, perfect and correct copy of the decree of Court

cutlined in May 20th 1876 in said Court as the same now appear of record and upon the files in my office, in the following cause to wit:

2,198. | E. M. Apperson et al
vs.
City of Memphis et al.

In testimony whereof I have hereunto set my name and affixed the seal of said Court at office, in the City of Memphis, this first day of December A.D. 1876, and of the Independence of the United States the 101st year.



N. C. Andrews, Clerk
T. H. Pillsbury D.C.
Fee $2.00 paid
by T. E. Brown.

Proceedings had in the Circuit Court of the United States for the Sixth Judicial Circuit thereof Western District of Tennessee at a regular term of said Court began and held for it

November Term A.D. 1875. at the Federal Court Rooms in the City of Memphis, on to wit. the 20th day of May 1875, and days subsequent thereto in the following cause.

E. M. Apperson & Co. et als
No. 2198 vs.
City of Memphis et als

Petition for Certiorari and Supersedeas.

I, Horace E. Andrews, Clerk of the Circuit Court of the United States for the Western District of Tennessee do hereby certify that on the 20th day of May A.D. 1876. in the above styled cause, a writ of Error was prayed for and granted to the next term of the Supreme Court of the United States.

Witness my hand and seal of Office this December 25. 1876.

H. E. Andrews
Clerk.

And having stated that the said plaintiffs in Error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of Error, now

here moved the Court in pursuance of the 6th rule of this Court to have the writ of Error in this cause docketed and dismissed.- On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause to the Circuit Court of the United States for the West ern District of Tennessee be and the same is hereby docketed and dismissed with Costs- And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

E. M. Officer et al
vs. Appeal and
The City of Memphis and
Fallmadge E. Brown.

Mr. P. Phillips of Counsel for the appellees having filed and read in open Court the following certificate to wit:

"United States Circuit Court
Western District of Tennessee.

Proceedings had in the Circuit Court of the United State for the Sixth Judicial Circuit thereof, Western District of Tennessee at a regular Term of said Court begun and held for its November Term A.D. 1875 at the Federal Court Rooms in the City of Memphis on, To wit the 20th day of May 1876. and days subsequent thereto in the following cause.

E.M. Apperson E.T. Rambaut	E.M. Apperson & Co.	E.B. Barnaby	E.B. Barnaby
		J.J. Busby	J.J. Busby & Co.
Daniel Innes Jas. W. Battle	Innes Battle & Co.	S.H. Brooks J.C. Neely H.W. Neely	Brooks Neely & Co.
S. Adler A. Adler	S. Adler & Co.	D.N. Brodie J.M. McClure	Brodie McClure & Co.
J.C. Allen C. Nugent	J.C. Allen & Co.	C.M. Boyd Alston Boyd	A.M. Boyd & Son.
E.A. Allison J.W. Allison Alex Allison	Allison Bros	G. Bauer Hotchkiss der M.	Bauer & Hotchkiss
H.S. Brown Jos. Brown	H.S. Brown & Co	H.H. Brown C.M. Jones	H. Brown & Jones
J. Barker	J. Barker & Co	L.J. Bolin & Co	
Joshua Brown L. Horton	Brown & Horton	H.C. Bohlen R.C. Graves	

Hunt Scannivel	Kohler Hunt & Co	Col. E. [illegible]	C. N. Evans
R. N. Boyson	Boyson & Camp	G. A. Eckerly	G. C. Eckerly & Bro.
W. J. Camp		N. J. Eckerly	
H. F. Boyd	Boyd & Chapman	H. A. Eckerly	
J. H. Chapman		J. M. Ellis	Ellis Fizer & Co.
J. S. Hutton	F. H. Clark & Co	John C. Fizer	
D. B. Coffey	E. L. Coffey & Co	E. H. Edmunds	Edmunds Paigneur & Co
Walter Merriman		J. M. Pelligrew	
K. Cook	Cook & Kellman	Solomon Friedman	Friedman Bros.
E. H. Harbus		Max Friedman	
J. C. Frisbie		Isaac U. Fowler	
R. N. Carberry	Carberry & Casey	Jacob Friedman	
Thos. Casey		W. Fensterheim	Fensterheim & Co
C. H. Cochrane	P. H. Cochrane & Co.	Ferguson D.S.	Ferguson & Compton
D. A. Hatcher		H. C. Compton	
Wm Cunningham	Wm Cunningham	J. S. Ferguson	J. S. Ferguson & Co
H. J. Cole	Cole & Co	J. C. Hunt	
J. Shearer		C. C. Hunt	
E. L. Cleaves	E. L. Cleaves	Wm Frank	Wm Frank & Co
E. W. Pillard	Pillard & Coffin	A. Bejack	
C. L. Coffin		Robert Fletcher	Robert Fletcher
J. S. Day	Day & Brandfit	J. P. Gilliland	Goodbar & Gilliland
W. P. Brandfit		Jas. M. Goodbar	
J. S. Dowdy	L. F. Dowdy & Co.	J. L. Goodbar	
J. M. Drake	R. M. Drake & Co	Adam Goodbar	

G. W. Goyer	
C. B. Carter	
J. H. McDaniel	C. W. Goyer & Co
M. Gavin	
J. S. Sullivan	
Thos. Clark	
M. J. Clark	M. Gavin & Co.
W. B. Galbraith	
W. J. Crawford	
J. M. Fowlkes	W. B. Galbraith
W. R. Goodwyn	W. R. Goodwyn
Jno R. Goodwyn	
L. P. Matthews Jr	J. Goodwyn & Co
J. N. McCallum	
J. S. Kelcher	J. S. Kelcher & Co
H. B. Howell	H. B. Howell
A. L. Harris	
W. B. Mallory	Harris Mallory & Co
E. S. Herron	
Jas Conner	Herron & Conner
D. P. Riddick	
J. H. Avery	
J. M. Barrington	Riddick & Avery
M. Hill	
Jerome Hill	

J. Perkins	M. W. Perkins & Son
W. R. Hendrix	
P. S. Campbell	
J. B. Bruner	Hendrix, Campbell & Co
J. M. Hill & Co.	J. M. Hill & Co
E. Herron	E. Herron
M. Heuchelburg	M. Heuchelburg
H. Herzog	
L. Herzog	
F. Kaiser	Herzog & Co
S. Hall	S. Hall
W. W. Guy	
R. McClelland	
T. C. Park	Guy McClelland & Co.
Wm Jones	
R. F. Lemon	
J. Guy Jr	Jones, Lemon & Guy
W. M. James	
W. B. James	W. M. James & Son
J. Judd	
— Judd	J. Judd & Bro.
Wm Peck	
A. Peck	
H. C. Andrews	Wm Peck & Co

R. S. Jones. W. M. Brown	Jones Brown & Co
A. E. Kennedy S. A. Rudd	Kennedy & Rudd
S. Kaufman D. Kaufman	S. Kaufman & Bro
D. C. Lowenstein H. W. Lowenstein — Lowenstein	Lowenstein & Bros.
A. W. Sauerbach M. Sauerbach	Sauerbach Bro
John Tilly	John Tilly
R. E. Lee	R. E. Lee
E. N. Leidy	E. N. Leidy
B. Lowenstein E. Lowenstein Leander Lowenstein	L. Lowenstein & Bro.
L. Levin	L. Levin
E. Mitchell P. Mitchell S. P. Hoffman	Mitchell & Hoffman
S. Mansfield J. M. Wood	S. Mansfield & Co
H. H. Mette H. H. Mette	H. Mette & Son
W. B. Moore J. F. Watkins	W. B. Moore & Co.
A. McDonald J. Woodward	McDonald & Woodward
M. L. Meacham E. E. Meacham	
A. W. Roberts D. B. Poston	M. L. Meacham & Co.
J. Moore J. B. Emery J. A. Moore	Moore Emery & Co.
S. Mosby C. P. Hunt	Mosby Hunt & Co
E. N. Martin,	Martin & Bro.
Jno. McLaughlin	Jno. McLaughlin
J. N. Menken A. D. Menken J. S. Menken L. Oppenheimer J. Hahn	Menken Bros.
W. Miller.	W. Miller.
Phil. Mallon	P. Mallon & Co.
L. Allenheimer W. Schwartz	Allenheimer & Schwartz

Monday December 18th 1876 - Continued.

E. Orgill	
E. L. Dennison	
A. S. McNeal	
Jno. F. Williams	Orgill Bros & Co.
M. C. Bacon	
L. B. Suggs	Pearce, Suggs & Co.
L. Poduela	
A. Malaluela	L. Poduela & Co.
C. H. Pomeroy	
P. J. Moran	C. H. Pomeroy & Co.
Porter D. E.	
M. F. Taylor	
M. D. C. Lee	Porter Taylor & Co.
L. Poduela	
Louis Poduela	
A. Maiuluela	Poduela & Maiuluela
H. Rice	
M. Stix	
B. Eisman	
E. Rice	Rice Stix & Co.
O. Roser	O. Roser
B. Roos	B. Roos
Jas. Roper	
John Roper	Jas. Roper & Bro.

L. Rosin	
L. Rosin	Rosin & Bro
E. F. Rick	E. F. Rick & Co
A. J. Roach	
M. L. Roach	A. J. Roach & Co.
A. R. Sledge	
W. M. Sledge	
A. McKay	Sledge & McKay & Co.
B. J. Semmes	B. J. Semmes & Co.
W. W. Schofield	
L. Hamann	
H. G. Miller	
H. Thomas	Schofield Hamann & Co.
Pellit & Simpson	Pellit & Simpson
J. T. Stratton	
J. S. Stafford	Stratton & Stafford.
J. A. Shaner	
A. Harris	Shaner, Harris & Co.
D. L. Sullivan	
E. Sullivan	D. L. Sullivan & Co.
St. Bernard Coal Co.	St. Bernard Coal Co.
Singer Sewing Mach. Co.	Singer Mfg. Co.
S. Sternberg	Sternberg & Co.
Sick & G.	J. G. Sick & Co.

Schmidlapp & C.	
J.C. Schmidlapp	
J. Rice	
S. Jacob	Schmidlapp & Bro
J. Schwab	
S. Schwab	Schwab & Co
Stout, Chas,	
Stout, Edwin	Chas. Stout & Bro
John W. Taylor	
Levi Joy.	Taylor Joy & Co.
S. Foulke	S. Foulke
A.C. Treadwell	
C.B. Treadwell	
B.D. Treadwell	A.C. Treadwell & Bro
E. Urquhart	
J.P. Montaugh	E.C. Urquhart & Co.
— Marsh	Marsh & Co.
Sol. Vendig	S. Vendig
A. Vaccaro	
A.B. Vaccaro	
B. Vaccaro	A. Vaccaro & Co.

T. Sherwood	
J.W. Howe	Wheeler Bickmore & Co.
F.M. White	
Jas. Younge	
F.H. White	
J.W. Caldwell	F.M. White & Bro.
A. Woodruff	A. Woodruff & Co.
L.B. Walker	
W. Walker	
G.H. Judah	
C.H. Illegible	Walker Bros. & Co.
J.C. Ward	
J.G. Walsh	J.C. Ward & Co.
H. Weller	
Geo. Schraalfried	H. Weller & Co.
David Zellner	
C.H. Goodhead	Zellner & Co.
James Sutton	Jas. Sutton & Co.

Vs

City of Memphis and Fallmadge
E. Brown

In Equity.

At a regular term of the Circuit Court of the United States for the Western District of Tennessee in the Sixth Circuit held at the Court House in the City of Memphis on this 20th day of May 1875. Present the Honorable N. S. Emmons one of the Circuit Judges Upon the reading and filing of due and legal notice of motion for restraining order as prayed in the Bill herein and acknowledgment by defendants in open Court of the due and legal service thereof, and the bill and all the exhibits thereto, and the affidavits of complainants Counsel having also been read and counsel for the respective parties Counsel having been heard and the same having been duly considered by the Court, and it appearing that the Bill presents no sufficient equity nor ground for granting the injunction and restraining order prayed for in the Bill, it is therefore ordered adjudged and decreed that the motion and prayer for said Injunction and restraining orders be refused and disallowed. And afterwards this cause came on to be heard upon the Bill of Complaint herein and Exhibits thereto, and the

demurrer of the defendants to the Bill, and argument by counsel heard, and thereupon, upon consideration thereof it was finally ordered adjudged and decreed that the demurrer of the Defendants be sustained, and the Bill dismissed for the causes shown in said Demurrer of Defendants, - but the objection of multifariousness was expressly waived by defendants and does not constitute a ground of dismissal of said Bill. And it is further ordered adjudged and decreed that the Complainants and W. H. Grimes and A. Wright their sureties in the prosecution Bond pay the costs of this suit to be taxed and that defendants have execution for such costs, from which decree Complainants in open court prayed an appeal to the Supreme Court of the United States at Washington, and presented in open Court a proper appeal Bond with good and sufficient sureties as required by law and the same was approved by the judge presiding and the appeal was then and there granted.

the Counsel of Defendants in open Court waiving expressly the signing and service of citation and all notice of the appeal required by Statute or rule of Court.

The United States of America
Sixth Circuit and District of West Tennessee.

I, Horace E. Andrews, Clerk of the Circuit Court of the United States for said District of West Tennessee do hereby certify that the paper here attached is a full, true, perfect and correct copy of the Decree of Court entered May 20th 1876, in said Court as the same now appear of record and upon the files in my office, in the following cause, to wit

E. H. Apperson & etal

vs.

The City of Memphis and
Tallmadge E. Brown.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, at office in the City of Memphis, this first day of December A. D. 1876. and of the Independence of the

the United States the 101st year.

H. E. Andrews, Clerk

L. H. Pillsbury, D. C.

Fees pd by Clk H. E. Brown $2.00

United States Circuit Court

Western District of Tennessee.

Proceedings had in the Circuit Court of the United States for the Sixth Judicial Circuit thereof, Western District of Tennessee, at a regular term of said Court begun and held for its November Term A.D. 1875, at the Federal Court Rooms in the City of Memphis, on, to wit, the 20th day of May A.D. 1876, and days subsequent thereto, in the following cause.

E. W. Appleton & Co. et al

vs

The City of Memphis et al. | 249 Equity.

I, Horace E. Andrews, Clerk of the Circuit Court of the United States for the Western District of Tennessee, do hereby certify that in the above entitled cause on the 20th day of May A.D. 1876 an Appeal was prayed and

granted to the then next term of the
Supreme Court of the United States

Seal

Witness my hand and seal
of Office this November 26 1875.

H. E. Andrews
Clerk.

And having stated that the said Appellants
had altogether failed to file the record of
said cause in this Court or in any way
to prosecute said appeal now here moved
the Court in pursuance of the 6th rule
of this Court to have this appeal docketed
and dismissed. On consideration
whereof it is now here ordered adjudged
and decreed by this Court that this
appeal from the Circuit Court of the
United States for the Western District of
Tennessee be, and the same is hereby
docketed and dismissed with costs
And that this cause be and the same
is hereby remanded to the said
Circuit Court to be proceeded in
according to law and justice

per Mr. Chief Justice Waite.

Edward C. Harris, Adm.
98 vs. Pff in Error
David Barton et al.

The motion to rescind and annul the judgment of dismissal entered in this cause and to reinstate the same on the docket now submitted to the consideration of the Court by Mr. P. Phillips in support of said motion and by Mr. J. R. Walton in opposition thereto.

Ex parte E. J. Jordan et al
13 Orig. Petitioners

On motion of Mr. W. M. Evarts it is ordered that the argument of the return to Rule in this cause be and the same is hereby postponed until Monday the 8th of January next.

Charles Morgan et al
632 vs. Pff in Error
The State of Louisiana

On motion of Mr. C. Read it is ordered that leave be, and the same is hereby granted the Clerk to issue the Mandate in this cause.

The United States
152 vs. Appellant
Thos. R. Lovell

(2)

Thos. R. Lovell
163 vs Appellant
The United States.

Mr. J.D. McPherson suggested the death of Thomas R Lovell in these cases and moved the Court for leave to enter the appearance of Charlotte Bostwick in the place of said Thomas R Lovell deceased. Whereupon it is now here ordered by the Court that Charlotte Bostwick be entered and made a party in this cause, executrix of Thos. R. Lovell, deceased, as aforesaid.

William Roemer.
855 vs. Appellant.
Edward Simon et al.

Mr. E. L. Stanton submitted motion to move the order advancing this cause for argument with No. 267, and on motion of Mr. A. G. Riddle it is ordered that said motion be and the same is hereby postponed until Monday the 8th of January next.

Ex parte: in the matter of James F. Easton and James M.c Graham Petitioners.

On motion of Mr Edward M.c Cauley leave is hereby granted him to file motion for leave to file petition for writ of prohibition to the District Court of the United States for the Eastern District of New York.

Peter Lyman, Appellant.
138 vs.
The Steamboat John L. Hasbrouck

The argument of this cause was continued by Mr C.m Allen Butler of counsel for the appellant. by Mr E.D. Benedict for the appellee and concluded by Mr Butler for the appellant

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

Tuesday December 19th 1865.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
David Davis — Justices
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay, Esquire Marshal
Daniel Hasey Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the bench in this behalf by Mr. John B. Henderson, it is ordered that George H. Shields, Esquire of St. Louis State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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E. M. Boley, Sidney M. Hall and L. C. Fuller
1957 vs. Appellants.
Cornelius Griswold and Seth Bullock, Sheriff &c

Mr. P. Gilluich, of Counsel for the appellants having filed and read in open Court the following

certificate, to wit

In Supreme Court Territory of Montana

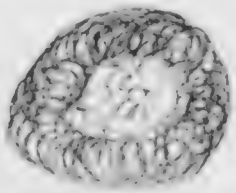
E. M. Boley, Sidney M. Hall & L. C. Fuller Ag't — Plaintiffs Appellants

Cornelius Griswold and Seth Bullock, Sheriff &c. — Defendants Respondents

I, J. P. Alden Clerk of the Supreme Court of Montana Territory, do hereby certify that in the January Term A. D. 1876 of the said Court the above entitled cause was argued and determined therein, on appeal from the judgment entered in said cause in the District Court of the third Judicial District of said Territory in and for Lewis and Clarke County that the judgment of the said District Court in said cause was

by said Supreme Court affirmed with costs. that afterwards to wit on the sixteenth day of February A.D. 1876. the said plaintiffs filed in the Clerks Office of said Supreme Court their appeal, citation, and undertaking on appeal to remove the said cause to the Supreme Court of the United States and ordered a transcript of the record in said cause to be made; that the said transcript was made and now remains in my office uncalled for.

Witness my hand and the Seal of said Supreme Court hereunto affixed this fifteenth day of November A.D. 1876



J. R. Nelson Clerk
Supreme Court, Montana Territory.

And having stated that said appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, now here moved the Court in pursuance of the 6th rule of this Court to have this appeal docketed and dismissed.- On consideration whereof it is now here ordered, adjudged and

decreed by this Court that this appeal from the Supreme Court of the Territory of Montana be and the same is hereby docketed and dismissed with costs - and that this cause be and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

No. 121 Wm. V. Bond et al vs. John M. Moore

Writ of Error.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. J. Read of counsel for the plaintiffs in Error, and by Mr. R. T. Merrick for the defendant in Error.

Ex parte: Madison Doom

No. 10 Orig.

Petitioner.

On motion of Mr. H. W. Shaffey it is ordered that the argument of the petition for writs of Habeas Corpus and certiorari in this cause (which was assigned for the 20th inst.) be and the same is hereby postponed for

the present

John F. Higgins
330 vs. Piff in Error
The People of the U.S.
in the Territory of Utah

Cause for the error
was argued by
Jas H. Williams of
counsel for the plain
tiff in Error and by
Mr. Solicitor General Phillips for the defendant
in Error

The Illinois Central R.R. Co.
1140 vs. Appellant,
Samuel H. Turrill

The Chicago and Alton R.R. Co.
1141 vs. Appellant
Samuel H. Turrill

The C. B and Quincy R.R. Co.
1142 vs. Appellant
Samuel H. Turrill

The Mich. Southern & N. Ind. R.R. Co.
1143 vs Appellant
Samuel H. Turrill

Ordered
by the
Court
that these
cases be
and the
same are
hereby
postponed
subject
to provisions
of Section
Seven,

The Pittsburg, Ft. W. & Chicago R'y Co. et al. Appellants vs. Samuel H. Carrill.	Rule twenty sixth.

1114

The Atlantic & Pacific Railroad Co. et al. Plffs in Error vs. H. S. Hopkins.	This cause was argued by Mr. C. E. Bretherton of counsel for the plaintiffs in Error and submitted on printed argument by Messrs Clough & Wead of counsel for the defendant in Error.

1145

Milton Humes, Assignee Appellant vs. Narcisse Baroggs et al.	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. T. C. Fullerton and Mr. F. P. Ward of counsel for the appellant. No counsel appearing for the appellees.

1146

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199 Barrells of Whisky
Charles Andre, Claimant
147 vs. Appellant,
The United States
And
100 Barrells of Whisky
Charles Andre Claimt.
148 vs. Appellant
The United States

These causes were argued by Mr. J. M. Burroughs of Counsel for the appellant and submitted on printed arguments by Mr. Assistant Attorney General Smith for the appellees

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The City of Chicago
149 vs. Error in Error,
A. W. Cowdrey.

The argument of this cause was commenced by Mr. Thomas Wilson of counsel for the plaintiff in Error and continued by Mr. Charles Blandrau, for the defendant in Error and by Mr. Wilson for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Wednesday December 26th 1875

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. T. Merrick it is ordered that Llewellyn Dean Esquire of Washington City, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion ordered that Abigale Hayes Esquire of Providence State of Rhode Island be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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N. A. Cowdrey et al
85. vs. Appellants
The Galveston Houston & Henderson R. R. Co.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W. P. Ballinger of counsel for the appellants and by Mr. R. T. Merrick for the appellees.

The City of Wilmington
1149 vs. Plffs in Error.
N. A. Cowdrey.

The argument of this cause was concluded by Mr. Thomas Wilson of counsel for the plaintiffs in Error.

Mary Ann H. Pike and John A. Pike, et al. heirs of William S. Pike, deceased.	This cause was argued by Mr. F. J. Durant of counsel for the plaintiff in Error, and by
137 vs. Plffs in Error.	
Mary P. Evans et al.	

Mr. George W. Paschal for the defendants in Error.

The Atlantic De Laine Company et al.	On motion of Mr. W. M. Evarts, two hours additional time allowed each side,
120 vs. Appellants	
Lucinda James, Admx &c.	

for the argument of this cause; and on motion of Mr. W. A. Butler leave granted him to file brief in behalf of the principal creditor in this cause.

The Atlantic De Laine Co. et al.	The argument of this cause was commenced by
120 vs. Appellants	
Lucinda James, Admx &c	

Mr. Abraham Payne of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 21st 1876.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire Marshal
Daniel Wesby Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John N. Henderson it is ordered that George Denison, Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Carter, it is ordered that Samuel G. Jelliffe, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Socrates Huff
661 vs. Riff in Error,
C. M. Doyle et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John B. Harmon of counsel for the plaintiff in Error, and by Mr. S. F. Leib of counsel for the defendants in Error, under the 20th rule.

The Atlantic De Laine Company et al
120 vs. Appellants.
Lucinda James, Adm'x &c.

(substituted for No. 150.) The argument of this cause was continued by Mr. A Payne of counsel for the appellant and by Mr. C. H. Hill of Counsel for the appelee, and by Mr. W. M. Evarts,

of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday December 22d 1876.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite — Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
Stephen J. Field — Justices
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

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885 John G Higgins vs. Plff in Error.
The People of the United States in the Territory of Utah

In Error to the Supreme Court of the Territory of Utah.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of

Utah, and was argued by Counsel-
On consideration whereof it is now
here ordered and adjudged by this
Court that the judgment of the said
Supreme Court in this cause be, and
the same is hereby reversed. And
that this cause be, and the same
is hereby, remanded to the said
Supreme Court with instructions to
reverse the judgment of the District
Court and award a venire de novo.
Dissenting. per Mr. Chief Justice Waite.
Mr. Justice Clifford.

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880 John L. Wiggins
vs. Peff in Error.
The People of the U.S. in
the Territory of Utah.

On motion of
Mr. Geo. H. C.
Williams leave
is hereby granted
the Clerk to
issue the mandate in this cause.

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920 The Atlantic De Laine Co. et al
vs. Appellants.
Lucinda James, Admx

(Substituted for
No. 150.) The
argument of
this cause

was concluded by Mr. W. M Evarts of Counsel for the appellants - Leave granted Mr C. H. Hill to file reply to brief filed by Mr. W. A. Butler.

Henry H. Easterling et al.
791 -vs- Plffs in Error
The State of South Carolina
Ex Rel C. C. Santigue

On motion of Mr. T. Phillips leave is hereby granted the Clerk to issue the Mandate in this cause.

Julius C. Coleman
and Abraham Volk.
316 -vs- Plffs in Error
Thomas Murphy, late
Collector of the Port of New York.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the stip-

ulation of Counsel on file and motion of Mr Assistant Attorney General Smith, of Counsel for the defendant in Error, it is now here ordered and adjudged by this Court that the writ of Error in this Cause be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite.

Wm. R. Utley et al.
151 vs. Peff in Error.
Jno. W. Donaldson et al.

This cause was argued by Mr. C. M. De Costa of Counsel for the plaintiffs in Error, and by Mr. William Patrick, of Counsel for the defendants in Error.

The United States
52 vs. Pffs in Error.
George L. Farrary et al
and
The United States
61 vs Peff's in Error.
Edward Lariviere et al.

On motion of Mr. Assistant Attorney General Smith, it is ordered that leave be granted the Clerk to issue the

Friday December 22d 1865 continued.

mandates in these cases.

Proclamation being made the Court is adjourned until Monday the Eighth of January, at Twelve oclock.

Monday January 8th 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne.
Samuel F. Miller,
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt,

} Associate Justices.

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. A.G. Riddle it is ordered that John K. Cook, Esquire, of Washington, District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George Harding, it is ordered that William B. Strawbridge Esquire, of Philadelphia, State of Pennsylvania be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

St. County of Randolph.

Pfft in Error

vs

Augustus T. Post

In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the Transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by Counsel: On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of

the State of Illinois.

Justice Hunt.

Mary Ann N. Pike, widow, &c. J. H. Pike, et al, heirs of William S. Pike deceased. vs. Mary C. Evans, Spr. & Evans (Mrs.) Eliza C. Johnson.

In Error to the Circuit Court of the United States for the District of Louisiana.

137

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire

decree de novo

per Mr. Justice Bradley

Daniel C. Smith
113 vs. Appellant.
The Goodyear Dental
Vulcanite Company and
Josiah Bacon

Appeal from the Circuit Court of the United States for the District of Massachusetts

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Massachusetts.

Dissenting Mr. Justice Bradley Miller Field.

per Mr. Justice Strong

The Board of County Commissioners of the County of Douglass Plffs in Error
vs.
Matthew Bolles & Shepherd Bolles.

In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar Judgments bear in the Courts of the State of Kansas.

Per Mr. Justice Strong.

Monday January 4th 1875 Continued.

N. A. Cowdrey et al
85 vs. Appellants
Ft. Galveston Houston and Henderson R. R. Co.

Appeal from the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Texas.

per Mr. Justice Field

Washington Cockle and
Henry B. Dow.
133 vs. Plffs in Error.
Jas. V. Black and J.
Bannister Hall.

In Error to
the Circuit
Court of the
United States
for the Northern
District of
Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois

Mr. Justice Miller

Alphonse Des Moles,
306 Vs. Appellant
The United States.

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed

per Mr. Justice Swayne.

Cornelius Stoner, A. Shrader, Geo. D. Nagle and C. C. Wilson.
23 Vs. Plffs in Error.
The United States.

In Error to the Circuit Court of the United State for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States

for the District of California, and was argued by Counsel- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed.

per Mr. Justice Clifford.

Ex parte: In the matter of James T. Easton, and James McMahon, Petitioners.

-We will hear the counsel for the petitioners, upon his proposition whether in a cause of wharfage there is a lien given by the general maratime law.

per Mr. Chief Justice Waite.

Joseph H. Shields
638 vs. Pfff in Error.
The State of Ohio.

The motion to advance this cause was submitted to the consideration of the Court by Mr. S. Shellabarger in support of the same.

Christopher Meyer et al
171 vs Appellants
Stephen Pritchard.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. Geo. Harding and Mr. J. H. Ackerman in support of the same, and by Mr. S. D. Law and Mr. B. F. Thurston in opposition thereto.

John Vansant et al
630 vs. Appellants
The Electro Magnetic Gas Light Co. et al.

The motion to advance this cause was submitted to the consideration of the Court by Mr. C. H. Raines in support of the same.

Samuel Smith et al
112 vs. Plffs in Error.
Myra Clark Gaines.

The motion for leave to the Clerk to issue the mandate in this cause was submitted to the consideration of the Court by Mr. J. C. Carter in support of the same, and on

affidavits filed by Mr. McConnell in opposition thereto.

John Dunbar et al.
123 vs. Appellants.
Margaret Myers, Exr &c
&
Margaret Myers, Extr &c
737 vs. Appellant.
John Dunbar et al.

The motion for leave to the Clerk to issue the mandate in these cases was submitted to the consideration of the Court by Mr. J. C. Carter, in support of the same and stipulation in regard thereto.

The City of Memphis
17 vs. Appellant
The United States Ex Rel.
Tallmadge E. Brown.

Appeal from the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and it

appearing to the Court that this is the second term at which this cause has been called for argument, and that neither party is now prepared to argue the same, it is ordered by the Court that the cause should be dismissed at the cost of the appellant pursuant to the 16th rule of this Court. Whereupon it is now here ordered adjudged and decreed by this Court that this cause be, and the same is hereby dismissed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

Samuel J. Sherman
43 -vs- Pltff in Error
D. S. K. Buick.

On motion of Mr. P. Phillips ordered that leave be granted the Clerk to issue the mandate in this cause.

Henrietta Davidson,
Testy Exto &c.
351. vs. Pff in Error.
The Board of Administrators
of the City of New Orleans.

On motion of
Mr. P. Phillips,
and stipulation
on file it is
now here ordered
by the Court
that this cause be and the same is hereby
continued to the next term.

John G. Fameling
73. vs. Pff in Error.
The United States Free
hold & Emigration Compy.

On motion of Mr.
J. A. Wills, it is ordered
that this cause be
assigned for argument
on Tuesday the 16th
instant.

James W. McCready
625 vs. Pff in Error.
The Commonwealth of
Virginia

This motion to advance
this cause was
submitted to the
consideration of
the Court by Mr.
R. T. Davis in support of the same

The Chesapeake and Ohio Railroad Company
655 v. Pltff in Error
The Commonwealth of Virginia

The motion to advance this cause was submitted to the consideration of the Court by Mr. R. S. Daniel in support of the same.

The B. and O. Railroad Co.
656 vs. Pltff in Error,
The Commonwealth of Virginia

The Ches. & Ohio R. R. Co.
657 vs. Pltff in Error
The Commth of Virginia
and
The Ches. and Ohio R. Rs.
658 vs. Pltff in Error.
The Commth of Virginia

The General Mut. Ins. Co. and
Bank of New-Orleans et al
711 vs. Appellants
Frank G. Caid, Rec'r &c.

The motion to vacate supersedeas as regards the Crescent Mutual Insurance Company in this cause, and to dismiss the appeals of the Crescent

Mutual Insurance Company, Benjamin J. West and Adam, Scherck and Astley was submitted to the consideration of the Court on printed arguments by Mr. Charles Case in support of the same and by Mr. R. H. Marvin in opposition thereto.

Nicholas H. Casey, Rec'r.
15 Orig vs. Plaintiff
Count Goffredo Galli.

On motion of Mr. C. Case leave is hereby granted him to file amended declaration in this cause.

Charles H. Lowell.
1918 vs. Appellant.
Felix Lance.

On motion of Mr. E. Jamin, leave is hereby granted the Clerk to issue the Mandate in this cause.

William Kosmo.
855 vs. Appellant.
Edward Simon et al.

The motion to rescind the order advancing this cause

and assigning it for argument with No. 267 was argued by E. T. Stanton in support of the same, and by Mr. A. G. Riddle in opposition thereto.

	The United States	On motion of Mr.
9511.	vs. Appellant	A. G. Riddle leave
	Frederick Gros Claude.	is hereby granted
		the Clerk to issue

the Mandate in this cause

	The Western Union Telegraph	The motion to
	Company.	dismiss this
5410.	vs. Plff in Error.	cause was
	[illegible] Lyon	submitted to

the consideration of the Court on printed arguments by Mr. M. Blair in support of the same and by Mr. J. P. Lowney and Mr. J. H. Ashton in opposition thereto.

	Troy v. Kibbie.	In Error to the Circuit
12	vs. Plff in Error.	Court of the United
	Alfred Thompson and	States for the North
	Joseph H. Dana.	ern District of

Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the stipulation of Counsel on file and motion of Mr. J. D. McPherson in behalf of Counsel it is now here ordered and adjudged by this Court, that the writ of Error in this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite.

1106 Chester Badger et al vs. Plffs in Error
The United States Ex Rel Marcus Bolles et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. T. J. Henderson of Counsel for the plaintiffs in Error, and by Mr. George C. Le for the defendant in Error, under the 20th rule.

The Board of County Commissioners, County of Johnson
551. vs. Pltffs in Error.
Derrick A. January.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Nelson Cobb, of Counsel for the plaintiffs in Error, and by Mr. James Grant for the defendant in Error, under the 20th rule.

The Board of County Commissioners County of Leavenworth.
662. vs. Pltff in Error.
Robert A. Barnes.

This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr J. W English of Counsel for the Pltff in Error and by Messrs Stillings & Fenlon for the defendant in Error under the 20th rule.

The Township of Burlington
180 vs. Pltff in Error.
Alfred W. Beasley

This cause was submitted to the consideration of the

Court on the record and printed arguments by Mr. A. M. T. Randolph of counsel for the plaintiff in Error, and by Mr. A. L. Williams, of counsel for the defendant in Error, under the 20th rule

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James M. Mackie et al vs.
744 vs. Pefts in Errors,
Benjamin S. Story

This cause was submitted to the consideration of the Court

on the record and printed arguments by Mr. George L. Wright of counsel for the plaintiffs in Error and by Messrs Finney & Miller for the defendant in Error, under the 20th rule.

Charles C. Cromwell
908 vs. Pefft in Error,
The County of Sac.

This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. J. N. Rogers, of counsel for the plaintiff in Error, and by Mr. Galusha Parsons, of counsel for the defendant in Errors under the 20th rule.

Mr. O. McClure.	This cause was
933 vs Plaintiff in Error,	submitted to the
The Township of Oxford,	consideration of
Kansas	the Court, on the
	record and printed

arguments by Mr. Alfred Ennis of counsel for the plaintiff in Error, and by Mr. A. L. Williams of counsel for the defendant in Error, under the 20th rule

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The United States	These causes were
152 vs. Appellants	argued by Mr.
Chancellor Bostwick,	J. D. McPherson
Admr vc	of counsel for
And	C. Bostwick,
Chancellor Bostwick,	Admr vc, and
Admr vc.	submitted on
153 vs. Appellant	printed argu
The United States.	ments by Mr.
	Assistant

Attorney General Smith for the United States.

George W. Bowen	On motion of Mr.
154 vs. Appellant	J. C. Carter it is
Nelson Chase, et al.	ordered that one

hour additional time be allowed each side in the argument of this cause.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday January 9th 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
Stephen J. Field — Justices
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay Esquire Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. H. Mitchell it is ordered that Joseph A. Dolph, Esquire, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. S. Chatfield it is ordered that Edw. Browne, Esquire, be

admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

D. R. Brant
56 vs. Appellant.
The Virginia Coal & Iron Company

On motion of Mr. M. F. Carpenter leave is hereby granted the Clerk to issue the mandate in this cause.

The Board of Supervisors of Wood County
667 vs. Pltff in Error
The Lackawana Iron and Coal Company.

This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. P. L. Spooner and Mr. L. S. Dixon of Counsel for the plaintiff in Error and by Mr. S. U. Pinney for the defendant in Error, under the 20th rule.

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937 The Inman Steamship Co. Appellant
vs.
Edward G. Tinker, acting Captain of the Port of New York.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. W.M. Evarts, and Mr. Francis L. Stetson, of counsel for the appellant, and by Mr. H.J. Scudder of counsel for the appellee, under the 20th rule

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154 George H. Bowen Appellant.
vs.
Nelson Chase et al.

The argument of this cause was commenced by Mr. Merritt C. Sawyer of counsel for the appellant and continued by Mr James C. Carter of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday January 10 1877

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite,	Chief Justice.
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	David Davis	Justices
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay, Esquire, Marshal.
Daniel Wesby Middleton, Clerk

Proclamation being made the Court is opened.

The Board of County Commissioners of the County of Marion.

(53 U.S. Plff in Error

Aaron Clark.

This cause was submitted to the consideration of the Court, on the record and printed argument by Mr. A. L. Williams of counsel for the plaintiff in Error, and

by Mr. Alfred Ennis for the defendant in Error, under the 20th rule.

George W. Bowen
151 vs. Appellant
Nelson Chase et al.

The argument of this cause was continued by Mr. J. C. Carter of counsel for the appellees and concluded by Mr. L. S. Chatfield of counsel for the appellants

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George W. Bowen
16 vs. Pff in Error.
Nelson Chase.

Ordered by the court that this cause be, and the same is hereby, passed for the present.

The Mutual Life Insurance Company of New York.
155 vs. Appellant.
J. Morrison Harris Assignee &c

The argument of this cause was commenced by Mr. Edward Ellis Ninkley of Counsel for the appellant, and continued by

Mr. J. Ch. Harris of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday January 11th 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay, Esquire, Marshal.
Daniel Tuley Printelow Clerk.

Proclamation being made the Court is opened

The Mutual Life Insurance Company of New York. Appellant.
vs.
J. Morrison Harris, Assignee.

155

The argument of this cause was continued by Mr. J. Morrison Harris of counsel for the appellee, and concluded by Mr. H. E. Davies of counsel for the appellant.

The Mutual Life Insurance Company of New York.
156 vs. Plff in Error.
J. Morrison Harris, Assignee &c.

Ordered by the Court that this cause be passed for the present.

Robert G. Hervey, and
The Paris and Decatur Railroad Co.
157 vs. Plff in Error.
The Rhode Island Locomotive Works.
And
The Indianapolis, Bloomington & Western Railroad Company.
158 vs. Plff in Error.
The Rhode Island Locomotive Works.

These cases were submitted to the consideration of the Court on the record and printed arguments by Mr. R. G. Ingersoll of counsel for the plaintiffs in Error, and by Mr. H. S. Greene and Mr. D. J. Miller of counsel for the defendants in Error.

Joseph W. Stanton et al.
159 vs. Plffs in Error.
James H. Embrey, Admr &c.

The argument of this cause was commenced by Mr. D. J.

Durant of counsel for the plaintiffs in Error
and continued by Mr. Edward Lander of
Counsel for the defendant in Error.

Proclamation being made the Court is
adjourned until tomorrow at twelve o'clock.

Friday January 12th 1877

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable	Morrison R. Waite	Chief Justice.
	Nathan Clifford	Associate Justices.
	Noah H. Swayne	
	Samuel F. Miller	
	David Davis	
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt	

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. N. Dickerson, it is ordered that E. B. Barnum, Esquire of Brooklyn, State of New York be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Missouri Valley Life Insurance Company. Plff in Error.
695 vs.
Augusta S. Smith.

This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. T. A. Hurd of Counsel for the plaintiff in Error, and by Mr. J. W. English for the defendant in Error, under the 20th rule

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S. Heydenfeldt Plff in Error,
573 vs.
Davy Gold & Silver Mining Company.

This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. W. E. F. Deal of Counsel for the plaintiff in Error, and by Mr. C. E. Pelong for the defendant in Error, under the 20th rule

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Joseph W. Stanton et al. Plffs in Error,
159 vs.
James H. Embry, Admr. &c. vs.

The argument of this cause was continued by Mr. Edward Sander and Mr. A. L. Merriman of Counsel for the defendant in Error,

and concluded by Mr. Dixon & J. Durant of Counsel for the plaintiff in Error.

The Board of Supervisors of Wayne be impleaded &c.
255 vs. Appellants.
John W. Kennicott et al.

Mr. Wm. Scales suggested the death of John J. Dixwell one of the appellees in this cause and moved the Court for leave to enter the appearance of William J. Bowditch and Epes S. Dixwell, Executors of the said John J. Dixwell, deceased, as parties appellees in this cause. On consideration whereof it is now here ordered by the Court that William J. Bowditch and Epes S. Dixwell Executors of John J. Dixwell, deceased, as aforesaid be, and they are hereby, entered and made parties appellees in this cause, with liberty to resist this appeal.

H. W. Fuller et al
160. vs. Appellants
Enoch S. Yentzer et al

H. W. Fuller et al.
161. vs. Appellants
Enoch S. Yentzer et al
and

H. W. Fuller, et al
162. vs. Appellants
Enoch S. Yentzer et al.

On the application of counsel it is ordered that one hour additional time be allowed counsel on each side in the argument of these cases.

H. W. Fuller et al
160. vs. Appellants
Enoch S. Yentzer et al.

H. W. Fuller et al
161 vs. Appellants
Enoch S. Yentzer et al.
and
H. W. Fuller et al
162. vs. Appellants
Enoch S. Yentzer et al.

The argument of these cases was commenced by Mr. E. B. Barnum of counsel for the appellants, and continued by Mr. W. B. Scates of Counsel

for the appellees.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

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Monday January 15th 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt, Associate Justices

John G. Nicolay Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

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146 Milton Humes, Assignee of John W. Scruggs, a bankrupt. Appellant.
vs.
Narcissa Scruggs and James Robinson.

Appeal from the District Court of the United States for the Northern District of Alabama.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the Northern District of Alabama, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, reversed with costs, And that this cause be, and the same is hereby remanded to the Circuit Court of the United States for the Northern District of Alabama with direction to enter a decree for the complainant in conformity with the opinion of this Court.

Mr. Justice Hunt

The Lake Superior and Mississippi Railroad Co. Appellants.
487 vs
The United States.

Appeal from the Court of Claims.

This cause came on to be heard on the

transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said Court of Claims with directions to enter a judgment in favor of the claimant in conformity with the opinion of this Court.

Dissenting per Mr Justice Bradley
Mr Justice Miller
" " Clifford
" " Swayne
" " Davis

The Atchison, Topeka & Santa Fe Railroad Company. Appellants
673 vs.
The United States

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said court of Claims in this cause be, and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said court of Claims, with directions to enter a judgment in favor of the claimant in conformity with the opinion of this court.

Dissenting — Per Mr Justice Bradley.

Mr Justice Miller.
" " Clifford
" " Swayne.
" " Davis.

Henry Keutz (for) Leonard Spangenberg jr. Appellants
136 vs.
The Steamship "Idaho" her tackle &c. The Liverpool (for) Great Western Steamship Company- Claimants.

(Appeal from the Circuit Court of the United States for the Eastern District of New-York.

This cause came on to be heard on the transcript of the record from the

Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs

Chief Mr Justice Strong

Nathan C. Russell
vs. Appellant.
Samuel Dodge Sr &
Samuel Dodge jr.

Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with

costs.

Per Mr. Justice Field

Heyman Osterberg.
731 vs. Appellant.
The Union Trust Company
of New York.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Davis.

Socrates Huff -
661 vs. Plff in Error,
C.W. Doyle & Charles Bales.

In Error to the Supreme Court of the

State of California

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court with instructions to affirm the judgment of the District Court of the third Judicial District, County of Alameda.

Mr. Justice Miller

Mr. Justice Davis took no part in the decision of this cause.

William R. Utley
George W. Daugherty
and Albert L. Scott
151 vs. Pffs in Error
John W. Donaldson
and Moses Braley.

In Error to the Circuit Court of the United States for the Eastern District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by Counsel.- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is, hereby, reversed with Costs, And that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter judgment in favor of the Plaintiffs.

Dissenting
Mr. Justice Strong
" " Clifford
" " Hunt

per Mr. Justice Swayne.

Mr. Justice Davis did not hear the argument of this cause and took no part in the decision.

Peter Lyman
138 vs. - Appellant.
The Steamboat "John
L. Hasbrouck," Robert
D. Cornell, Joseph C.
Doughty, Augustus
Doughty (Wm) Isaac C.
Weeks, - Claimants.

Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York and was argued by Counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Clifford.

The United States
131 vs. Pff in Error
John K. Thompson and
others, Creditors of Wm.
J. McFeely, and John
B. Hopper

In Error to
the Court of
Appeals
of the State
of Maryland.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Maryland, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed for want of jurisdiction.

per Mr. Chief Justice Waite.

Ex parte. Robert L. Cutting et al
Orig. Petitioners.

On consideration of the petition

for a writ of Mandamus in this cause and of the argument of counsel thereupon had, as well in support of as against the same, it is now here

ordered by the Court that said petition be and the same is hereby denied.

per Mr. Chief Justice Waite

The Atlantic & Pacific Railroad Company and The Pacific Railroad Co. vs. H. S. Hopkins

Pffs in Error.

In Error to the Circuit Court of the United States for the District of Kansas.

1115

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that so much of the judgment of the said Circuit Court in this cause as directs that execution may issue against the garnishees be, and the same is hereby reversed, in all other respects that it be affirmed. Costs to be paid by the defendant in Error.

per Mr. Chief Justice Waite

William H. Bond, James Bond, & Calvin W. Hubert Executors of James Bond deceased, & A. C. Bate. Plffs in Error
121 vs
John M. Moore.

Int Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

for the Chief Justice Waite.

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199 Barrels of Whiskey
Charles André, Claimant
127 vs. Appellant.
The United States.

Appeal from the Circuit Court of the United States for the Eastern

District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

Per Mr. Chief Justice Waite

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100 Barrels of Whiskey
Charles Anderson Claimant
Appellant.
vs.
The United States.

Appeal from the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court, that the decree of the

said Circuit Court in this cause be, and the same is hereby affirmed.

Per Mr. Chief Justice Waite.

The Missouri Valley Life Insurance Company, Plff. in Error,
vs.
Augusta S Smith

In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Kansas.

Per Mr. Chief Justice Waite.

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The Western Union Telegraph Company.
5110 vs. Pff in Err.
Jonathan Rogers.

In Error to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and on the motion of Mr. M. Blair to dismiss which was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the writ of Error in this cause be, and the same is hereby, dismissed for want of jurisdiction.

Per Mr. Chief Justice Waite.

Christopher Meyer and Mary A. Evans, administratrix of John Evans, decd.
177 vs. Appellant
Stephen Pritchard

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Counsel for the appellee to dismiss which was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs, and that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and Justice.

Per Mr. Chief Justice Waite.

John G. Wiggins
885. vs. Appl in Error
The People of the United States in the Territory of Utah.

Mr. Justice Miller filed the opinion of the Court in this cause and Mr. Justice Clifford read a dissenting opinion.

Mary A. Pearson et al
371 vs. Pltfs in Errs
John Goodall

On consideration of the motions to dismiss or affirm this case under rule 6, and of the argument of counsel thereupon had, it is now here ordered by the court that said motions be, and the same are hereby, overruled -

per Mr. Chief Justice Waite.

The Town of South Ottawa
58 vs. Pltff in Errs
Noah C. Perkins
and
The Board of Supervisors
of Kendall County
59 vs. Pltff in Errs
Augustus S. Post

Motions for re-hearing.

These motions are granted and the cases may be again set down for argument on any day during the present term that may suit the convenience of counsel. If counsel are unable to agree upon a day, such

further order will be made in that behalf as may appear to be necessary

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Josephine Hale Ames. Ext. &c.
668 -vs.- Plff in Error.
The Heirs of John Slidell

(and)

Josephine Hale Ames. Ext. &c.
669 -vs.- Plff in Error.
The Heirs of John Slidell

Ordered by the Court that the motions for a re-hearing in these cases be, and the same are hereby, denied.

Per Mr. Chief Justice Waite.

The Germania National Bank et al.
784 vs. Appellants
E. D. Case, Receiver &c.

On consideration of the motion to dismiss the Appeal of the Crescent Mutual Insurance Company, in this cause and of the argument of Counsel thereupon had it is now here ordered by the Court that said motion be and the same is hereby denied.

Per Mr Chief Justice Waite.

The Germania National Bank et al.
784 vs. Appellants.
D. F. Case, receiver &c.

On consideration of the motion to vacate the supersedeas of the Eureka Mutual Insurance Company, one of the appellants in this cause, and of the argument of counsel thereupon had, it is now here ordered by the Court that unless on or before the first Monday in March next said appellant file in this Court a new bond in the penal sum of fourteen thousand dollars, conditioned according to law and with security to satisfaction of the Clerk the supersedeas herein be vacated and held for naught.

Per Mr. Chief Justice Waite.

William Roemer
855 vs. Appellant
Edward Siemon et al.

On consideration of the motion to vacate the order advancing this cause for argument with No. 267 and of the argument of counsel thereupon had as well in support of as against the same, it is now here

ordered by the Court that said motion be and the same is hereby granted, and that the order heretofore made directing that these cases be heard together be vacated.

per Mr. Chief Justice Waite

Samuel Smith et al,
113 vs. Pfff in Error
Myra Clark Gaines.

On consideration of the motion for leave of the Court to issue the mandate in this cause, it is now hereby ordered by the Court that said motion be and the same is hereby denied

per Mr. Chief Justice Waite

John Dunbar et al.
133 vs. Appellants
Margaret Myers, Ex'trix

and

Margaret Myers Ex'trix
787 vs. Appellant
John Dunbar et al.

On consideration of the motion of Mr. J. C. Carter and of the affidavit filed in opposition thereto it is now, hereby ordered by the Court that leave be and the same is hereby granted the Clerk to issue the

Mandate in these cases, in accordance with Stipulation filed.

per Mr. Chief Justice Waite.

Edward G. Haviland, Admr
98 vs. Pff in Error
David Barton et al.

On consideration of the motion to rescind and annul the judgment of dismissal entered in this cause, and to reinstate the same; it is ordered that this cause be reinstated upon the docket to be heard at the present term if the defendants in Error shall so desire The costs of this motion and of the order of dismissal to be paid by the plaintiff in Error.

per Mr. Chief Justice Waite.

James W. McCready
135 vs. Pff in Error
The Commonwealth of Virginia

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be and the same is hereby denied. per Mr. Chief Justice Waite.

	John Vansant et al	On consideration
638	vs. Pff in Error.	of the motion to
	The State of Ohio	advance this
		cause, it is now

here ordered by the Court that said motion be and the same is hereby denied.

per Mr. Chief Justice Waite.

	The Chesapeake & Ohio R. R. Co.	On consideration
655	vs. Pff in Error.	of the motion
	The Commonwealth of Virginia.	to advance
		these causes
	The Chesapeake & Ohio R. R. Co.	it is now
656	vs. Pff in Error	here ordered
	The Commonwealth of Virginia	by the Court
		that time
	The Chesapeake & Ohio R. R. Co.	be given to
657	vs. Pff in Error	the plaintiff
	The Commonwealth of Virginia.	in Error, until
		Wednesday
	The Chesapeake & Ohio R. R. Co.	of next week
658	vs. Pff in Error.	to shew cause
	The Commonwealth of Virginia	if any, why
		the motion

to advance these causes should not

be granted

per Mr. Chief Justice Waite.

The Western Union
Telegraph Company
510 vs. Pltff in Error
Jonathan Rogers.

On motion of Mr. M. Blair leave is hereby granted the Clerk to issue the mandate in this cause.

The New York Life Ins. Co.
28 vs. Appellant.
Wm C. Statham et al,

On motion of Mr. Clinton Rice leave is hereby granted the Clerk to issue the mandate in this cause.

Emil Homes
834 vs. Pltf in Error
Jesse B. Spelman,
Timothy W. Spelman, &
William C. Spelman.

In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and on the stipulation of counsel on file, and

motion of Mr. W.B. Scales, in behalf of counsel, it is now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed with Cost.

Per Mr. Chief Justice Waite.

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837 John A. Haynes vs. Piff in Error. James B. Pickett et al.

The motion to dismiss or affirm this cause was submitted to the consideration of the Court on printed arguments by Mr. Durant and Mr. Connor in support of the same and by Mr. B.R. Forman in opposition thereto.

The Nonconnah Turnpike Co. vs. Piff in Error. The State of Tennessee, Ex Rel W. A. Raines

The Nonconnah Turnpike Co. vs. The State, Ex Rel A.B. Ellis et al

W.J. Smith & wife et al vs. The State, Ex Rel. A.S. Talley et al.

Mr. Albert Pike presented the certificates of the Clerk in these cases, and moved the Court to docket and dismiss the writs

of Error, in pursuance of the 9th rule which motion was opposed by Mr. Shellabarger. Whereupon it is now here ordered by the Court that unless the plaintiffs in Error docket its cause in conformity with the rules of this Court within two weeks from this date, the motion to docket and dismiss will be granted.

Per Curiam Chief Justice Waite.

Joseph T. Barry
333 vs. Plff in Error,
The Commonwealth of Massachusetts

and

The Boston Bar & Club
522 vs. Plff's in Error,
The Commonwealth of Massachusetts,

Mr. Hackett submitted to the consideration of the Court, motion to advance these cases.

The United States
294 vs. Appellants
Manuel J. Garcia et al.

This cause was submitted to the consideration of the Court on the record and

printed arguments by Mr. Assistant Attorney General Smith of Counsel for the appellant and by Mr. Jarvis of Counsel for the appellee under the twentieth rule.

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924 The Township of East Oakland vs. Pelf in Error. William B. Skinner

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Palmer of counsel for the plaintiff in Error and by Mr. D. Miller and Mr. J. C. Robinson of counsel for the defendant in Error, under the twentieth rule.

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160 H. H. Fuller et al vs. Appellants Enoch S. Yeatzer et al.

161 H. H. Fuller et al vs. Enoch S. Yeatzer et al

and

163 H. H. Fuller et al. vs. Appellants Enoch S. Yeatzer et al.

The argument of these cases was continued by Mr. W. B. Scates of counsel for the appellee.

Monday January 15th 1877 Continued.

Emil Horner		On motion of
5511 vs.	Plff in Error	Mr. Seales leave
J. B. Spelman et al.		is hereby granted
		the Clerk to

issue the mandate in this cause.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday January 16th 1877.

Pursuant to adjournment the Court met. to day at the Capitol.

Present

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	Associate Justices
	Noah H. Swayne	
	Samuel F. Miller	
	David Davis	
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt,	

John G. Nicolay, Esquire. Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

William Glenny		Appeal from the Circuit Court of the United States for the Southern District of Ohio.
280 vs.	Appellant	
Solomon Langdon, and Martha Langdon, his wife, John W. Caldwell, assignee in Bankruptcy &c. Stanley Hatch, Oliver M. Langdon, et al.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and on motion of Mr. W. H. Carpenter in behalf of counsel for the appellees and consent of appellant on file, it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed at the cost of the appellees.

Per Mr. Chief Justice Waite.

The United States
797 vs. Appellant
Cyrus H. Clark.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Attorney General Smith of counsel for the appellant, and by Mr. Charles E. Pike for the appellee under the Twentieth rule.

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798 The United States vs. Joseph Smith. Appellant

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Assistant Attorney General Smith of counsel for the appellant and by Mr James Lowndes of counsel for the appellee under the twentieth rule.

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668 Josephine Hale Ames, Ex'x &c vs. The Heirs of John Slidell Pltff in Error.

669 Josephine Hale Ames Ex'x &c vs. The Heirs of John Slidell. Pltff in Error.

On motion of Mr Jno. Selden it is ordered that the order heretofore entered granting leave to the Clerk to issue the mandates in these cases be, and the same is hereby rescinded and annulled.

H. W. Fuller et al
161 vs. Appellants.
Enoch S. Yeatzer et al.

H. W. Fuller et al
161 vs. Appellants
Enoch S. Yeatzer et al

H. W. Fuller et al
162 vs. Appellants.
Enoch S. Yeatzer et al.

The argument of these cases was continued by Mr. W. B. Scates of counsel for the appellants and concluded by Mr. E. N. Dickerson of counsel for the appellants.

The United States
100 vs. Plff in Error
Annie Fox, et al.

(Assigned) The re-argument of this cause was commenced by Mr. Assistant Attorney General Smith of counsel for the plaintiff in Error, and continued by Mr. James Elgner of counsel for the defendants in Error

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Proclamation being made the Court is adjourned until tomorrow morning at twelve o'clock

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Wednesday January 17th 1877.

Pursuant to adjournment the Court met this day at the Capitol.

Present

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	David Davis	Justices.
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley,	
	Ward Hunt,	

John G. Nicolay, Esquire, Marshal
Daniel Shelley Middleton, Clerk.

Proclamation being made the Court is opened.

The United States
vs. Pltff in Error
Annie Fox et al.

(Assigned) The no
argument of the
cause was con
tinued by Mr.

James Flynn of counsel for the defendant in Error and concluded by Mr. Assistant Attorney General Smith of

Counsel for the plaintiffs in Error.

The Western Wisconsin Railway Company.
164 Vs. Plff in Error
D. J. Foley et al.
(And)
The Western Wisconsin Railway Company
165 Vs. Plff in Error
D. J. Foley et al.

in Errors

These cases were argued by Mr. Wm F. Vilas of counsel for the defendant in Error & counsel appearing for the plaintiffs

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John G. Fanuling
73 Vs. Plff in Error
The United States Free-hold & Emigration Comp'y

(Assigned.) The argument of this cause was commenced by Mr. John A. Wills of counsel for the plaintiff in Error, and continued by Mr. U. W. McFarland of counsel for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow morning at twelve o'clock.

Thursday January 18th 1877

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable	Morrison R. Waite.	Chief Justice.
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	David Davis	Justices
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay Esquire, Marshal,
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. H. Hopkins it is ordered that J. B. Brawley, Esquire, of Meadville State of Pennsylvania be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. George H. Pier it is ordered that C. W. McSmith, Esquire, of San Francisco, State of California be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The City of Omaha
Gen'l vs- Pltff in Error
Daniel Hammond

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. A. Strickland of counsel for the plaintiff in Error and by Mr. C. Shirley for the defendant in Error under the 20th rule.

The Atchison, Topeka
& Santa Fe R. R. Co.
vs. Appellant
The United States

On motion of Mr. Talbot leave is hereby granted the Clerk to issue the mandate in this cause.

Thursday January 18th 1877. Continued.

John G. Tanneling
73 vs. Pff in Error.
The United States Free-
hold & Emigration Co.

(Assigned.) The argu-
ment of this cause
was continued by
Mr. Matt. H. Carpenter
of counsel for the
defendant in Error, and concluded by Mr.
John A. Wills of counsel for the plaintiff
in Error.

William H. Cobb, George
H. Rear, & Henry B. Pierce
96 vs. Pffs in Error,
George Rice.

In Error to the
Circuit Court
of the United
States for the
Eastern District
of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and on the motion of Mr. J. A. Garfield of Counsel for the defendant in Error, and consent of Mr. J. B. Henderson of Counsel for the plaintiffs in Error, it is now here ordered and adjudged by this Court, that the judgment of the

said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

Per Mr. Chief Justice Waite.

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95 William H. Cobb et al vs. George Rice

Pffs in Error

On motion of Mr. J. A. Garfield leave is hereby granted the Clerk to issue the mandate in this cause.

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106 The Consolidated Fruit Jar Co. vs. James F. Wright.

Appellants.

The argument of this cause was commenced by Mr. J. H. B. Latrobe of Counsel for the Appellants and continued by Mr. George Gifford for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Pursuant to adjournment the court met today at the Capitol

Present

The Honorable Morrison R. Waite. Chief Justice.
Nathan Clifford.
Noah H. Swayne.
Samuel F. Miller, Associate
David Davis Justices
Stephen J. Field
William Strong
Joseph P. Bradley.
Ward Hunt

John G. Nicolay Esquire. Marshal.
Daniel Wesley Middleton. Clerk

Proclamation being made the court is open

Peter McCleary et al. vs Plffs in Error
946 Wells S. Rice

This cause was submitted to the consideration of the court on the record and printed arguments by Mr George G. Wright of Counsel for the plaintiff in Error and by Mr. Thomas J. Henderson of Counsel for the defendant

in Error under the twentieth rule.

Peter Doyle, Secretary of State of Wisconsin.
910. vs. Appellant
The Continental Insurance Company of New York.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George B. Smith of counsel for the appellant, and by Mr. Wm Allen Butler, Mr. B. J. Stevens, and Mr. J. C. Sloan for the appellee under the twentieth rule.

George Chorpenning
613. vs. Appellant,
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Joseph Casey of Counsel for the Appellant and by Mr. Solicitor General Phillips of Counsel for the Appellee under the 20th rule.

	Hiram Barney	This cause was
958	vs. Plff in Error,	submitted to the
	The City of Keokuk Mal.	consideration of

the Court on the record and printed arguments by Mr. George M. McCrary, of counsel for the plaintiff in Error and by Mr. R. G. Ingersoll for the defendant in Error, under the 20th rule.

960	The United States	vs.	James K. Mears.
961	" " "	.	George M. Chilson.
962	. . .	.	Edward B. Rheem
963	. . .	.	Frederick Phisterer.
964	. . .	.	M. Lynde.

These causes were submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Smith of counsel for the appellants and by Mr H. E. Paine for the Appellees under the twentieth rule.

	The American Bridge Co.	This cause
804	vs. Appellant	was submitted
	Max Heidelbach Mal Trustee.	to the considera

tion of the Court on the record and printed arguments by Mr. Wallace Pratt and Mr. C. B. Lawrence of Counsel for the appellant and by Mr. R. Crozier for the appellees, under the twentieth rule.

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807 The Board of County Commissioners County of Johnson. Plff in Error vs. Nathaniel Thayer et al.

This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. Nelson Cobb of Counsel for the plaintiff in Error and by Mr. Wallace Pratt for the defendants in Error under the twentieth rule.

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816 Mrs. M. E. Burke Plff in Error vs. Louis Dreyer, et al. Intervenors.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. Thomas Allen Clarke and Mr. Thomas L. Wayne in support of the same and by Mr. J. R. Beckwith in opposition thereto.

The Consolidated Fruit Jar Co
166 vs. Appellants.
James T. Wright.

The argument of this cause was concluded by Mr J. H. B. Latrobe, of counsel for the appellants

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The President & C. of the Insurance Company of North America.
167 vs. Plff. in Error.
Thebe N. Field.

This cause was argued by Mr John S. Bennett of counsel for the defendant in Error and submitted on printed argument by Mr. J. F. Farnsworth of counsel for the plaintiff in Error.

The Electric Match Co. et al.
168 vs. Plffs in Error.
The United States

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Assistant Attorney General Smith of counsel for the defendant in Error. No counsel appearing for the plaintiffs in Error.

Henry Mers.
169 vs. Appellant
Jacob A. Conover

This cause was argued by Mr. A. J. Todd of Counsel for the appellant and by Mr. Rodney Mason of Counsel for the appellees.

Franz A. Mullen et al.
vs. Appellants
David Dows et al.

Mr. T. F. Withrow moved the Court that this cause be submitted under the twentieth rule, in pursuance of the stipulation filed in this cause. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Wm Bayne, trustee &c.
170 vs. Appellant
The United States

The argument of this cause was commenced by Mr. Thomas W. Hall, of Counsel for the Appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 22d 1877.

Pursuant to adjournment the court met to-d
at the Capitol.

Present.

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	David Davis	Justices.
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt	

John G. Nicolay Esquire, Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made the court is open

On motion first made to the court in this
behalf by Hon. Matt. H. Carpenter, it is
ordered that Alfred L. Cary, Esquire, of th
western State of Wisconsin, be admitted to
practice as an attorney and counsellor
of this Court, and he was sworn
accordingly.

The Board of County Commissioners of the County of Leavenworth. Plff in Error
vs.
Robert A. Barnes
Kansas.

In Error to the Circuit Court of the United States for the District of

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Kansas.

Per Mr. Justice Hunt.

James Monroe Mackie,
Benjamin Story Mackie
& Fergus Monroe Mackie,
legal representatives of Mrs.
Mary E. Story Mackie
deceased, and Joseph Anthony
Fernandez, Tutor of the
minors Story.
764 vs. Pltffs in Error.
Benjamin S. Story.

In Error to the
Circuit Court
of the United
States for
the District
of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Bradley.

The City of Winona
1119 vs. Pltff in Error.
N. A. Cowdrey.

In Error to the
Circuit Court
of the United

States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

Per Mr. Justice Davis.

The Board of Supervisors of Wood County

vs. Plffs in Error

The Lackawanna Iron and Coal Company.

Wisconsin.

In Error to the Circuit Court of the United States for the Western District of

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel.
On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin.

Per Mr. Justice Swayne.

Mr. Justice Davis being interested in the question as one of the Executors of a will, took no part in the decision of this case.

Joseph W. Stanton &
William S. Palmer,
Plffs in Error
vs.
James H. Embry, administrator
of Robert J. Atkinson, deceased.

In Error to the
Supreme Court
of the District
of Columbia.

This cause came on to be heard, on the

transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the District of Columbia.

Per Mr. Justice Clifford.

The Board of County Commissioners of the County of Marion,
633. vs. Plff in Error
Aaron Clarke.

In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court

that the judgment of the said circuit court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of Kansas.

Per Mr. Justice Clifford.

The President & Directors of the Insurance Company of North America.

167 vs. Affirm Error.

Phebe N. Field

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

The United States
vs. Appellant
Samuel J. Garcia et al.

Appeal from the District Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the Decree of the said District Court in this cause be and the same is hereby affirmed

per Mr. Chief Justice Waite.

The Germania National Bank et al.
vs. Appellants
F. F. Case, Receiver &c.

On consideration of the motion to dismiss the appeals of

Benjamin J. Rost and Otto Schurz Esqrs duly in this cause, and of the argument of counsel thereupon had, it is now here ordered by the Court that said motion be, and the same is hereby denied.

Joseph W. D. Barry
333 vs. Pfiff in Error. | Motion to advance
The Commonwealth of Massachusetts.

This being a writ of Error to revise a judgment of a State Court in a Criminal case, that by Section 709 Revised Statutes precedence of all cases to which the Government of the United States is not a party, excepting only such as we may deem to be of public importance. The motion to advance is therefore granted, and the cause will be set down specially for argument on any day that may suit the convenience of Counsel. If they are unable to agree we will make such further order in that behalf as may be necessary.

Per Mr. Chief Justice Waite.

Joseph H. Shields
638 vs. Pfff in Error.
The State of Ohio.

(and)

James H. McCready
vs. Pfff in Error.
The Commonwealth of
Virginia.

Motions to advance.

Our attention not having been called to the particular provisions of Section 710, Revised Statutes, we last week inadvertently denied the motions to advance these causes. Upon further consideration the orders then made are rescinded, and the motions are now granted. The cases may be set down for argument on any day that shall suit the convenience of counsel, or if they cannot agree we will make such further order in that behalf as may appear to be necessary.

Per Mr. Chief Justice Waite.

The Boston Beer Co. Claims.
522. vs. Plff in Error.
The Commonwealth of Massachusetts.

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Waite.

John A. Haynes
837. vs. Plff in Error
James B. Pickett et al.

On consideration of the motion to dismiss or affirm this cause, it is ordered that time be given the plaintiff in Error until March 1. to show cause if any he has why the judgment in this case should not be affirmed upon the authority of Ray vs. Norseworthy, 23, Wall., 128.

Per Mr. Chief Justice Waite.

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949 The United States vs. Louis Deutsch, impl'd (and) The United States vs. Christian Reinsinger. Appellants, Appellants,

On motion of Mr. J. J. Reed leave is hereby granted the Clerk to issue the mandate in these cases.

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965 The People of the State of New York Ex Rel. The Galatin National Bank Vol. vs. The Commissioners of Taxes & Assessments in the City of N.Y. Plff's in Error,

The motion to advance this cause was submitted to the consideration of the Court by Mr. D. L. Lord in support of the same.

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158 Charles F. Morrill vs. The State of Wisconsin. Plff in Error,

The motion to advance this cause was submitted to the consideration of the Court by Mr. J. H. Bary in support of the same.

119.	The United States vs. John Young, Trustee in bankruptcy of Alexander Collie.	Appellant	Mr. W. M. Evarts files petition for writ of certiorari in this cause.

120.	The United States vs. Arthur Martin.	Appellants	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Charles E. Hovey of counsel for the appellee, and by Mr. Assistant Attorney General Smith of counsel for the appellants under the twentieth rule.

773	Peter Doyle, Secretary of State of Wisconsin. vs. State of Wisconsin, ex rel. A. L. Drake.	Plff in Error.	The motion filed by plaintiffs in Error in this cause to vacate and set aside

proceedings taken upon the judgment of the Supreme Court of Wisconsin within ten days after its rendition was argued by Mr. Wm Allen Butler and Mr.

J. C. Stowe in support of the same, and by Mr. Charles W. Felker in opposition thereto. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

Laban S. Beecher
313 vs Plff in Error
David Metherby et al.

Mr. Charles W. Felker suggested the death of Laban S. Beecher, the plaintiff in Error in this cause, and moved the Court for leave to enter the appearance of Fanny Beecher, Executrix and sole legatee of Laban S. Beecher, deceased, as the party plaintiff in Error in this cause. On consideration whereof it is now here ordered by the Court that Fanny Beecher, Executrix of the said L. S. Beecher, deceased, be entered as party plaintiff in Error in this cause in place of said deceased, with liberty to prosecute this writ of Error.

William Bayne, Trustee &c
170 vs. Appellant
The United States.

The argument of this cause was continued by Mr. T. W. Hall of counsel for the appellants and by Mr. R. T. Merrick for the appellees

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John L. Macauley et al.
139 vs. Appellants
Charles Clinton et al.

The State of Louisiana ex rel. John L. Macauley
1134 vs. Plff in Error.
Charles Clinton, Auditor &c
(and)
John S. Williams et al.
757 vs. Plff in Error.
The State of Louisiana ex rel
Charles Clinton, Auditor &c.

On motion of Mr. T. J. Durant, it is ordered by the Court that these cases be reassigned for argument on the 29th instant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday January 23d. 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
David Davis
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Kesley Middleton, Clerk

Proclamation being made the Court is opened.

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170 William Bayne, trustee &c Appellant
vs
The United States

The argument of this cause was continued by Mr. R. G. Merrick of counsel for the appellee, and by Mr. S. Teackle Wallis of counsel for the appellants.

Nathaniel S. Donaldson,
Assignee &c.
171 vs. Pltff in Error.
John V. Farwell et al.

This cause was argued by Mr. W. P. Lynde of counsel for the plaintiff in Error, and submitted on printed arguments by Mr. E. Mariner of counsel for the defendants in Error.

John A. Dutcher et al.
173 vs. Appellants
Adoniram J. Wright, Assignee.

This cause was argued by Mr. W. P. Lynde of counsel for the appellants and submitted on printed arguments by Mr. E. Mariner of counsel for the appellees.

George D. Erskine, Collr &c
178 vs. Pltff in Error.
The Mil. & St. Paul R. R. Co.
(and)
The Mil. and St Paul R. R. Co.
179 vs Pltff in Error
George D. Erskine, Coll'r &c.

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Assistant

Attorney General Smith of Counsel for the Collector Erskine; with leave to Mr. Carey to file brief for the Milwaukee and St Paul Railway Company.

George A. Thompson. Clerk of St. Jag "Margaret."
177 vs. Appellant
Charles F. Bliss et al.

The argument of this cause was commenced by Mr. W. P. Lynde of Counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow, at half past ten o'clock.

Wednesday January 24th 1877.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	David Davis	Justices
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay, Esquire. Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Kenneth G. White, it is ordered that William Edgar Simonds, Esquire of Hartford, State of Connecticut, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

George V. Thompson. Admr of the Swarthout Vanguard
177 vs. Appellant.
Charles F. Bliss et al.

The argument of this cause was continued by Mr. W. P. Lynde, of counsel for the appellant, and by Mr. A. L. Carey of Counsel for the appellee and concluded by Mr. Lynde for the Appellant.

Ex parte. Conrad & Jordan et al.
13 Original. Petitioners.

The argument of this cause was commenced by Mr. J. A. Bangs of counsel for the petitioners, continued by Mr. W. M. Evarts of counsel for the respondents, and concluded by Mr. Bangs for the petitioners.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday January 25th 1877

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite	Chief Justice
	Nathan Clifford	Associate Justices
	Noah H. Swayne	
	Samuel F. Miller	
	David Davis	
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt	

John G. Nicolay, Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon J. G. Abbott it is ordered that William Stuart McFarlane, Esquire of Boston, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John L. Phipps et al
100 vs. Appellants
John Sedgwick Assignees
and
Barker Place et al.
101 vs. Appellants
John Sedgwick Assignees

On motion of counsel, one hour additional time allowed each side in the argument of these cases.

John L. Phipps et al.
100 vs Appellants.
John Sedgwick Assignees.
and
Barker Place et al
101 vs Appellants
John Sedgwick Assignees

The argument of these cases was commenced by Mr. W. H. Evitt of counsel for the appellants, and continued by Mr. James K. Hayward of counsel for the appellants in No. 101. and by Mr. Bangs of counsel for the appellees.

Proclamation being made the court is adjourned until tomorrow at twelve o'clock.

Friday January 26th 1877

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	David Davis	Justices
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that William H. Bliss, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. R. G. Ingersoll, it is ordered that Henry H. Houston, Esquire, of Paducah, State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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100 John L. Phillips et al vs. John Sedgwick, Assignee &c. (and) Barker Blair et al vs. John Sedgwick Assignee &c. Appellees / Appellants

The argument of this cause was continued by Mr. F. H. Bangs of counsel for the appellees, and concluded by Mr. H. Mc. Coast of counsel for the appellants.

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180 George Jerome et al. vs. Thomas F. McCarter trustee. Appellant

The argument of this cause was commenced by Mr. George Norris of counsel for the appellants and continued by Mr. Alfred Russell of counsel for the

a/peelens.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday January 29th 1877

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite,	Chief Justice.
Nathan Clifford	Associate Justices
Noah H. Swayne	
Samuel F. Miller	
David Davis	
Stephen J. Field	
William Strong	
Joseph P. Bradley	
Ward Hunt.	

John G Nicolay Esquire Marshal
David Wesley Middleton. Clerk

On motion first made to the Court in this behalf by Mr. Alfred Russell it is ordered that Benton Hanchett Esquire, of Saginaw, State of Michigan, and H. F. Evans Esquire, of Washington City, District of Columbia, be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. F.J. Lippitt it is ordered that Henry C. McDaid Esquire of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Archibald Hopkins, it is ordered that William C. Whitney, Esquire of New York City be admitted to practice as an attorney and Counsellor of this Courts and he was sworn accordingly.

On motion first made to this Court in this behalf by Hon. George W. McCrary it is ordered that E.F. Hughes, Esquire of Lancaster, State of Missouri, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to this Court in this behalf by Mr Solicitor General Phillips it is ordered that R.M. Widney, Esquire, of Los Angeles, State of California, be admitted

to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. D. McPherson, it is ordered that John C. Douglass, Esquire of Leavenworth, State of Kansas be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Geo. R. Williams, it is ordered that Charles H. Hempstead, Esquire of Salt Lake City be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that J. H. Hall, Esquire of Montgomery, State of Alabama be admitted to practice as an attorney and Counsellor of this Court—and he was sworn accordingly.

Chester Badger, Charles E. Joss, et al. Constituting the Board of Auditors of the Town of Amboy

4016 -vs- Plffs in Error

The United States, ex rel: Matthew Bolles, and W. Shepard Bolles.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr Justice Hunt.

The City of Omaha

9014 -vs- Plff in Error

Aaron Hammond.

-of Nebraska.

In Error to the Circuit Court of the United States for the District

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Nebraska.

Per Mr Justice Miller.

The Consolidated Fruit Jar Company.
vs. Appellant,
James F. Wright.

District of Southern York.

Appeal from the Circuit Court of the United States for the Southern

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and

was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Bradley.

William H. Cammeyer
(Ad) Samuel Lewis,
114 vs. Appellants.
John Newton, Washington
Scutts, Charles Eccleston, (Ad) and
William D. Quinn.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Clifford.

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153 The United States
vs. Appellant
Charles. Bostwick, Admr
of Thos. R. Lovill, deceased
and
Charlotte Bostwick, Admx
of Thos. R. Lovill, deceased
153 vs Appellant.
The United States.

Appeals from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said Court of Claims with instructions to render judgment against the United States for the rent of the premises from June 30th to August 23rd 1862, at the rate of two hundred and fifty dollars per month, and for the damages done to

the property other than the destruction of the house by fire during the occupation of the United States under their lease, except to the extent that the same necessarily resulted from the use of the premises by the soldiers of the army of the United States for the purposes of a hospital and camp-ground.

per Mr. Chief Justice Waite.

The West Wisconsin Railway Company & D. A. Baldwin.
161 vs. Appeal in Error.
D. J. Foley, M. J. Foley, J. W. Hunter & J. L. Rockford.

In Error to the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and five

hundred dollars damages in addition to interest from the date of the judgment below, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Wisconsin.

Per Mr. Chief Justice Waite.

The Electric Match Co
James Long, John C. Long,
and William B. Kleen.
vs.
The United States.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

168 Peffs in Error.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

Per Mr. Chief Justice Waite.

Peter Doyle, Secretary of State, of Wisconsin
773. -vs- Pff in Error.
State of Wisconsin, to use etc.
A. J. Drake.

On consideration of the motion filed by plaintiff in Error, in this cause, to vacate and set aside proceedings taken upon the judgment of the Supreme Court of Wisconsin within ten days after its rendition, and of the argument of Counsel thereupon had, as well in support of as against the same it is now here ordered by the Court that said motion be and the same is hereby denied.

per Mr. Chief Justice Waite.

Mrs. M. E. Burke
846 -vs- Pff in Error.
Louis Fregri, et al.

On consideration of the motion to dismiss this cause it is now here ordered by the Court that said motion be and the same is hereby postponed until the hearing on the merits.

Franz A. Mueller et al.
411 -vs- Appellants.
David Dows, et al.

On consideration of the motion that this case

be submitted under the 20th rule, in accordance of the stipulation on file, it is now ordered that appellants cause a printed argument to be filed in their behalf on or before March 6th next, or show good cause why the stipulation for submission made by their Counsel should not be enforced against them; and in default of both that the cause be taken up and considered as submitted under the rule, without argument by the appellants.

Per Mr. Chief Justice Waite.

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655 The Chesapeake & Ohio R.R. Co. vs. Peff in Error
The Commonwealth of Virginia.

656 The Chesapeake & Ohio R.R. Co. vs. Peff in Error
The Commonwealth of Virginia.

657 The Chesapeake & Ohio R.R. Co. vs. Peff in Error
The Commonwealth of Virginia.

On consideration of the motion to advance these cases, it is now here ordered by the Court that said motion be

(and)

The Chesapeake & Ohio R.R. Co. Plff in Error.
658 vs. —
The Commonwealth of Virginia

and the same is hereby granted.

These cases are within the operation of section 709 Revised Statutes and the amount involved is so large as to make it proper that they should be advanced even though they relate to the taxation of the property of a single corporation

They may be set down for argument on any day that may be agreed upon by Counsel. If, however, Counsel cannot agree, we will make such further order in the premises as may appear to be necessary.

Per Mr. Chief Justice Waite.

Charles F. Merrill Plff in Error.
685 vs.
The State of Wisconsin

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted. If Counsel are unable to agree upon a time for the argument we will make such

further order in that behalf as may appear to be necessary.

for Mr. Chief Justice Waite.

The People of the State of New York, Exrel. the Galatin National Bank et al.

vs. Petition in Error.

The Commissioners of Taxes & Assessments in the City of New York.

On consideration of the motion to advance this cause it is ordered that said motion be granted and if counsel are unable to agree upon a day for the argument the Court will upon application make such further order in that behalf as may appear to be necessary.

for Mr. Chief Justice Waite.

The Chief Justice announced that the Court would adjourn from day to day until the Nineteenth of February next.

Ex parte: In the matter of Elisha P. Lornig. Petitioner.

15 Orig.

Mr Alford Russell by leave of the Court filed and submitted to the consideration of the Court petition for rule to shew cause why a writ of Mandamus should not issue in this cause.

The Continental Insurance Company of the City of New York. Plff in Error,

vs.

977 Jadocus K. Daniels

Mr. R. S. Merriam of counsel for the defendant in Error, having filed and read in open Court the following certificate, bail:

In the Supreme Court of Montana Territory.

Jadocus K Daniels Plaintiff & Respondent

vs.

The Continental Insurance Company of the City of New York Defendant & Appellant.

I, Isaac R. Alden, Clerk of the Supreme Court of Montana Territory, do hereby

certify that on the 11th day of February A.D. 1876. the said Continental Insurance Company of the City of New York, filed in the office of the Clerk of said Supreme Court its writ of Error and citation to remove the above entitled action to the Supreme Court of the United States from the said Supreme Court of Montana Territory; that afterwards on the 3d day of April 1876, the said defendant filed herein its undertaking on appeal and directed the undersigned the Clerk to make a transcript of the record in a cause entitled "Jacob H. Daniels, plaintiff & respondent vs. The Andes Insurance Company defendant and appellant" which was argued and determined at the January Term 1876. of said Court, with directions to substitute in said transcript "the Continental Insurance Company of the City of New York" for the said "Andes Insurance Company", that such transcript was made accordingly and now remains uncalled for in my office.

In witness whereof I have hereunto
set my hand and affixed
my official seal at Helena,
Montana, this 13th day of
January A.D. 1877.

J. R. Aldew,
Clerk Sup. Court Montana.

And having stated that the plaintiff in Error
had altogether failed to file the record of
said cause in this Court or in any way
to prosecute said writ of Error, now here
moved the Court in pursuance of the 9th
rule of this Court to have the writ of
Error in this cause docketed and dismissed.
On consideration whereof it is now here
ordered and adjudged by this Court that
the writ of Error in this cause to the
Supreme Court of Montana Territory be and
the same is hereby docketed and dismissed
with costs, and that this cause be and
the same is hereby remanded to the said
Supreme Court to be proceeded in accord
ing to law and justice

per Mr. Chief Justice Waite.

Daniel Palmer
536. vs. Plff in Error.
Joseph W. Lowe et al.

The motion of Mr. F. W. Haskell to correct the writ of Error in this cause was submitted to the consideration of the Court by him in support of the same.

Elizabeth Mead et al.
734 & 735. vs. Appellants.
Daniel Pinyard

Mr. A. G. Davis and Mr. E. S. Smith by leave of the Court filed motion for leave to file petition for a Bill of review in this cause.

The United States
294 vs. Appellants
Manuel J. Garcia et al.

On motion of Mr. E. Janin leave is hereby granted the Clerk to issue the mandate in this cause.

Elisha Rietman
700 vs. Plff in Error.
Wm R. Berghölz.

The motion to dismiss this cause was submitted to the consideration

of the Court on printed arguments by Mr Cortlandt Parker in support of the same and by Mr. Fakerman in opposition thereto.

George Jerome et al.
180 vs. Appellants.
Thos. N. McCarter, Trustee

The argument of this cause was continued by Mr. J. W. E. York, in behalf of himself, by Mr. G. S. Edmunds, of Counsel for the appellees, and concluded by Mr. M. H. Carpenter for the appellants

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Theodore Shillaber
181 vs. Appellant.
John Robinson

Ordered by the Court that this cause be, and the same is hereby continued until the next term (for stipulation of counsel on file.)

The Lake Superior and Mississippi Railroad Co.
187 vs. Appellants.
The United States.

On motion of Mr. W. H. Smith leave is hereby granted the Clerk to issue the Mandate in this cause.

Proclamation being made the Court is adjourned until Monday the Nineteenth of February, at twelve o'clock.

Monday February 19th 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	Associate
	Samuel F. Miller	Justices
	David Davis	
	Stephen J. Field.	

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. W. H. Wilshire, it is ordered that John McClure, Esquire, of Little Rock State of Arkansas, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Enoch Totten, it is ordered, that Randall Hagner, Esquire of the City of Washington, District of Columbia,

be admitted to practice as an Attorney and Counsellor of this Court and he was Sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Smith it is ordered that Simon W. Hathaway, Esquire, of Boston, State of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was Sworn accordingly.

Hayman Osterberg
931 vs. Appellant
The Union Trust Company
of New York.

On motion of Mr. L. Trumbull and stipulation of Counsel on file, it is ordered that leave be granted the Clerk to issue the mandate in this cause.

The City of Omaha
900 vs. Petn in Error
Aaron Hammond.

On motion of Mr. Assistant Attorney General Smith, in behalf of Counsel it is ordered that leave be

granted the Clerk to issue the mandate in this cause.

George Eyster, Assistant Treasurer United States at Philadelphia
988 vs. Appellant.
The Centennial Board of Finance.

On motion of Mr. Assistant Attorney General Smith, it is ordered that this cause be advanced and assigned for argument on the 12th of March next.

Stephen Tally
93 vs. Pltff in Error.
The Freedman's Savings (&) Trust Company.

On motion of Mr. Enoch Totten, leave is hereby granted the Clerk to issue the mandate in this cause.

Robert P. Dodge et al.
150 vs. Appellants
The Freedman's Savings (and) Trust Company.

On motion of Mr. E. Totten leave is hereby granted the Clerk to issue the mandate in this cause.

911	The United States vs. Thomas H. Sweeny.	Appellant	On motion of Mr. C. Fuller leave is hereby granted the Clerk to issue the mandate in this cause.

38	The Town of South Ottawa vs. Josh C. Perkins.	Pltff in Error.	On motion of Mr. P. Phillips it is ordered that this cause be assigned for re-argument next week after the argument of Nos. 139, 1341 & 1357.

Proclamation being made the Court is adjourned until Monday the 26th inst. at twelve o'clock.

Monday February 20th 1877

Pursuant to adjournment the court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Ensley, Bailiff.

On motion first made to the court in this behalf by Mr. Assistant Attorney General Smith it is ordered that William G. Frost, Esquire, of Biddeford, State of Maine, be admitted to practise as an attorney and counsellor of this court and he was sworn accordingly.

On motion first made to the court in this behalf by Hon. George G. Wright it is ordered that Honorables S. J. R. McMillan, of St Paul, State of Minnesota, Angus Cameron, of

Lacrosse State of Wisconsin and H. M. Teller of Central City, State Colorado be admitted to practice as attorneys and counsellors of this court and they were sworn accordingly.

William F. Kelsey et al. and The State of Iowa. vs. Richard B. Chapman. 986 — Appellants

The motion to advance this cause was submitted to the consideration of the Court by Mr. George G. Wright in support of the same.

Proclamation being made the Court is adjourned until Thursday March 1st at twelve o'clock.

Thursday March 1st 1877

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable	Morrison R. Waite	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	David Davis	Justices
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G Nicolay Esquire Marshal
Daniel Lesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. Phillips it is ordered that H. Hamm Phillips, Esquire of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Solomon Heydenfeldt	In Error to the
873	vs. Pltff in Error	Supreme Court
	The Tuscarora Gold & Silver	of the State
	Mining Company.	of Nevada.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nevada, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Davis.

	Robert G. Harvey and the	In Error to
	Peoria & Bureau Railroad	the Circuit
	Company.	Court of the
157	vs. Pltff in Error	United States
	The Rhode Island Locomotive	for the Southern
	Works.	District of
		Illinois

This cause came on to be heard on the transcript of the record from the Circuit Court of the

United States for the Southern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, as to the Locomotive and Tender called "Alfred H. Smyser, No. 3." and that this cause be, and the same is hereby remanded to the said Circuit Court with instructions to award a venire facias de novo.

By stipulation the judgment of the Circuit Court is affirmed as to the "Locomotive "Chey No. 1."

Per Mr. Justice Davis.

The Indianapolis, Bloomington & Western Railway Company. Plff in Error.
vs.
The Rhode Island Locomotive Works.

In Error to the Circuit Court of the United States for the Southern District of Illinois.

158

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with instructions to award a new trial.

Per Mr. Justice Davis.

John S. Fambling		In Error to the
73 vs	Pff in Error.	Supreme Court
The United States Freehold		of the Territory
Land & Emigration Society.		of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Colorado, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this

cause be, and the same is hereby affirmed with costs. And that this cause be and the same is hereby remanded to the Supreme Court of the State of Colorado, to be proceeded in according to law and justice.

per Mr. Justice Davis.

William Bayne, Horatio R. Riddle, & Allen A. Chapman, Trustees of Bayne & Co, et al. vs. The United States — Appellants

Appeal from the Circuit Court of the United States for the District of Maryland.

170

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr. Justice Davis.

Nathaniel S. Donaldson,
Assignee of Emanuel Mann,
a bankrupt.
173 vs. Plff in Error
John L. Farwell, Charles B.
Farwell, Simon Farwell,
William D. Farwell, and
John K. Harmon.

In Error
to the Circuit
Court of
the United
States for
the Eastern
District of
Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Davis.

H. H. Bigelow Surviving Admr
of Henry W. Bigelow deceased,
124 vs. Plff in Error.
The Berkshire Life Insurance
Company.

Petition
for
re hearing.

The petition for re-hearing in this case will be granted unless the said defendant in thirty days pays to the clerk of the United States Circuit Court for the Northern District of Illinois for the plaintiffs in Error, the sum of ($1175) Eleven hundred and seventy five dollars. being the surrender value of the policies sued on in this case, and which the defendant in Error by its pleas confessed to be due on them.

In the meantime the mandate is suspended; and the Clerk of this Court is directed to notify the respective counsel of the parties, and also the said Circuit Court Clerk of the making of this order.

Per Mr Justice Davis.

99

Ira L. Munn et al
George L. Scott
vs. Pltffs in Error
The People of the State of
Illinois.

In Error to the
Supreme Court
of the State of
Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois, and was

argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Dissenting. Per Mr. Chief Justice Waite.
Mr. Justice Field.

The Chicago Burlington and Quincy Railroad Company, Appellants
vs. } Appeal from the Circuit Court of the United States for the District of Iowa.
324
M. E. Cutts, Attorney General and William Christy, Treasurer of the State of Iowa, and Daniel Campbell.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs. Dissenting, Mr. Justice Field. — Per Mr. Chief Justice Waite.

William Frederick Pick, Henry R. Pierson, Moses Taylor, The Farmers Loan & Trust Company & The Union Trust Company. Appellants. vs. The Chicago & Northwestern Railway Company, George H. Paul, Jos. H. Osborn, John W. Hoyt & A. S. Sloan.

Appeal from the Circuit Court of the United States for the West ern Dis- trict of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Dissenting. Mr. Justice Field.

per Mr. Chief Justice Waite.

Dewitt C. Lawrence, Cyrus J. Lawrence, Darius V. Lawrence, William G. Wiley, (and) Anita Galpin, vs. George H. Paul, Joseph H. Osborn, John V. Hoyt, A. Scott Sloan, (and) the Chicago and Northwestern Railway Company.	Appellants.	Appeal from the Circuit Court of the United States for the Western District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with cost.

Dissenting Mr. Justice Field

per Mr. Chief Justice Waite.

The Chicago, Milwaukee & St Paul Railway Company. Plff in Error.
352. vs.
Henry M. Ackley & George Vilas.

In Error to the Circuit Court of the County of Milwaukee, State of Wisconsin

This cause came on to be heard on the transcript of the record from the Circuit Court of the County of Milwaukee State of Wisconsin, upon a remittitur from the Supreme Court of the State of Wisconsin, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Dissenting, Mr Justice Field

Per Mr. Chief Justice Waite

L. D. Stone
353. vs. Plff in Error,
The State of Wisconsin.

In Error to the Circuit Court of the County of Dane, State of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the County of Dane, State of

Wisconsin, upon a remittitur from the Supreme Court of the State of Wisconsin and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Dissenting Mr Justice Field.

per Mr. Chief Justice Waite

The Winona and St Peter Railroad Company vs. Plff in Error,
John D. Blake, Alfred D. Lee & Stephen A. Crouch.

In Error to the Supreme Court of the State of Minnesota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Minnesota, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs

Dissenting Mr Justice Field.

per Mr. Chief Justice Waite

Charles McKusick, Receiver of the Southern Minnesota Railroad Co. Plff in Error.

vs.

Charles S. Coleman.

In Error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Minnesota.

Dissenting Mr. Justice Field.

for Mr. Chief Justice Waite

William B Molsey et al.
vs. Pltfs in Error
Richard B Chapman

On consideration of the motion to advance this cause it is now here ordered by the Court that said motion be and the same is hereby denied.

Per Mr Chief Justice Waite.

Jonathan G Bigelow
vs. Pltf in Error
Emma E Fiske

Mr C P Barrett of Counsel for the defendant in Error, having filed and read in open Court the following Certificate to wit:

In the Supreme Court of the District of Columbia

Emma E Fiske
Plaintiff
vs
Jonathan G Bigelow
Defendant

At Law
No. 13,122.

I Robert J Meigs Clerk of the Supreme Court of the District of Columbia hereby

Certify, that upon the final judgment in the cause, rendered by the said Supreme Court of the District of Columbia in General Term on the 12th day of June 1876, affirming the judgment of the Special Term entered on the 15th day of July 1875, the defendant on the 13th day of October 1876, duly sued out a writ of Error from the Supreme Court of the United States to the said Supreme Court of the District of Columbia, and the same was duly allowed.

Seal

Witness, my hand and the seal of the Supreme Court of the District of Columbia

R. J. Meigs, Clerk.

and having stated that the said plaintiff in Error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of Error. Now her moved the Court in pursuance of the 9th rule of this Court to have this writ of Error docketed and dismissed. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause to the Supreme Court of the District of Columbia, be

and the same is hereby docketed and dismissed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice. By Hon. Chief Justice Hall

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Jas W. Stanton et al.
159 vs. Appl. in Error
James B. Embry Adm.

On motion of Mr A. E. Morrison leave is hereby granted the Clerk to issue the mandate in this cause.

The City of Vinona
160 vs. Appl. in Error
A. A. Crowley.

On motion of Mr P. Phillips leave is hereby granted the Clerk to issue the mandate in this cause.

Nicholas H. Casey Rec.
15 Orig. vs. Plaintiffs
Count Joseph Galli

On motion of Mr. C. Case it is ordered that this cause be assigned for argument on Thursday the 15th instant.

	George Eyster, Asst Treas. &c.	On motion of
988	vs. Appellant	Mr. Assistant
	The Centennial Board of Finance &al.	Attorney General
		Smith it is now

here ordered by the Court that this cause be re-assigned for argument on Thursday the 15th of March.

	The Town of South Ottawa	The argument
58	vs. Pltff in Error.	of these cases
	Noah C. Perkins	was commenced
	(40)	by Mr. P.
	The Board of Supervisors of	Phillips of
	Kendall County	counsel for
59	vs. - Pltff in Error.	the plaintiffs
	Augustus T. Post.	in Error and
		continued by

Mr. G. S. Eldridge of counsel for the defendant in Error in No. 58.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday March 2d 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite,	Chief Justice.
Nathan Clifford.	
Noah H. Swayne	
Samuel F. Miller	Associate
David Davis	Justices
William Strong	
Joseph P. Bradley	
Ward Hunt.	

John G. Nicolay, Esquire, Marshal.
Daniel Tenley Middleton, Clerk

Proclamation being made the Court, & opened.

On motion pink made to the Court in this behalf by Mr. George Gray, it is ordered that Orrin H. Simonds, Esquire, of Grand Rapids, State of Michigan be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R.E. Menick, it is ordered that Samuel C. Parks, Esquire of Lincoln, State of Illinois be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly

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On motion first made to the Court in this behalf by Hon. L.D. Woodworth, it is ordered that Thomas W. Sanderson, and Asahel W. Jones, Esquires, of Youngstown, State of Ohio be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that Edward L. Perkins, Esquire, of Philadelphia State of Pennsylvania, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Francis Kernan, it is ordered that Hon. Scott Lord of New York City, be admitted to practice as an attorney and counsellor of this Court and he was

sworn accordingly.

	The Town of East Lincoln	On motion of
583	vs. Pltff in Error.	Mr. Samuel
	Charles Davenport.	C. Parks it
		is ordered

that this cause be and the same is hereby continued until the next term.

	George A. Kibbe	On Error to the
13	vs. Pltff in Error.	Circuit Court of
	Samuel Pitts and	the United States
	Chas Dana.	for the Northern
		District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with Costs.

per Mr. Justice Davis.

The People of the State of New York,
ex rel. The Galatin National Bank etal,
965 -vs- Plff in Error.
The Commissioners of Taxes and
Assessment of the City of New York.

Ordered by the Court that this cause be assigned for argument on Tuesday March 13th. (per Stipulation of Counsel.)

Franz A. Muller et al
411 -vs- Appellants
David Dows, et al.

Ordered by the Court that the time for the final submission of this cause be and the same is hereby extended until Friday the 23rd of March.

Henry W. Fuller and
Isaac W. Barnum.
160 -vs- Appellants.
Enoch S. Yeulzea and
Walter Scales.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern

District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Dissenting.
Mr. Justice Strong
" Ch " Waite
" Justice Miller
" " Bradley.

per Mr. Justice Clifford.

Henry H. Fuller and
Isaac H. Barnum.
161 vs. Appellants.
Enoch S. Gentzer and
Walter C. Scates.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it

is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs

Dissenting
Mr. Justice Strong
" Ch. Jus. Waite
" Justice Miller
" " Bradley.

per Mr. Justice Clifford.

Henry W. Fuller, and
Isaac W. Barnum
162 vs. Appellants
Herman B. Goodrich

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be and the same is hereby affirmed with costs.

Dissenting — per Mr Justice Clifford.
Mr Justice Strong
" Ch Jus. Waite
" justice Miller
" Bradley

Peyton Grymes
v. vs. Appellant.
Dallas Sanders, Admr.
of Geo. Rappleer.

On motion of Mr. Robinson, leave is hereby granted the Clerk to issue the mandate in this cause.

Erasmus D. Fenno
1178 vs. Appeal in Error
William F. Wright

The motion to dismiss or affirm this cause was submitted to the consideration of the Court on printed arguments by Mr P. Phillips in support of the same.

Albert Conro et al
8110. vs. Appellants
Charles S. Crane et al.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by

Mr. J. S. Cooper and Mr. P. Phillips in support of the same, and by Mr. Francis S. Hales, in opposition thereto.

The Town of South Ottawa
58. vs. Plff in Error.
Noah C. Perkins.

The Board of Supervisors of Kendall County.
59 vs. Plff in Error.
Augustus D. Post.

The re-argument of these cases was continued by Mr. C. S Eldridge of counsel for the defendant in Error in No. 58 by Mr. H. S. Greene for the defendant in Error in No. 59.

and concluded by Mr. T. Lyle Dickey of counsel for the plaintiffs in Error.

Proclamation being made the Court is adjourned until Monday morning, March 5th at Eleven and a half o'clock.

Monday March 5th 1877

Pursuant to adjournment the Court met this morning at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Noah H. Swayne, Associate Justices
Samuel F. Miller, Associate Justices
David Davis, Associate Justices
William Strong, Associate Justices
Joseph P. Bradley, Associate Justices
Ward Hunt, Associate Justices

John G. Nicolay, Esquire. Marshal
Daniel Haley Middleton, Clerk.

On motion first made to the Court in this behalf by Mr. B. F. Butler, it is ordered that George W. Morse, Esquire, of Boston, State of Massachusetts be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The Court attended the inauguration of his Excellency Rutherford B. Hayes, President of the United States.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday March 12th 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	Associate
	Samuel F. Miller	Justices.
	William Strong	
	Joseph P. Bradley.	

John G. Nicolay, Esquire. Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Wm. C. W. Howes it is ordered that Samuel Jamison Jr. Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Wm. L. Shellabarger it is ordered that Marcus L. Ward Esquire of Trenton and Mark J. Fleming, Esquire of Jefferson City

State of Missouri, and W. M. Smith Esquire of Memphis, State of Tennessee be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips it is ordered that Charles Devens, Esquire, of Worcester State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The Court has received, through the Chief Justice a letter from Mr. Justice Davis, announcing his resignation of his office, as one of the Associate Justices, and have transmitted to him a letter expressing their feelings on the occasion; and direct that both letters be entered upon the minutes – which are in the words and figures following, to wit:

"Washington, March 5. 1877.

My dear Brethren.

My Official connection with the Supreme Court of the United States

closes today. I have determined to accept a seat in the Senate, with which I have been honored by the General Assembly of the State of Illinois. Having passed all the years of my active life at the bar, or on the bench, it is not without serious misgivings that I enter upon a new sphere of public service, but I have not felt at liberty to decline the honorable position to which I have been invited.

In severing the relations which have existed between us for so many years, I beg leave to bear my testimony to the eminent learning, ability and integrity which have characterized your judicial labors

From the organization of the government, the Supreme Court has been composed of able and upright Judges. In my judgment, it is now as worthy of the confidence of the American people as it ever has been at any period of its history.

Since I was invited to its counsels by President Lincoln, six of its members have been numbered with the dead. I take

great satisfaction in the reflection that my relations with them, and all my associates have been uniformly kind and cordial.

In offering you my parting salutations, I beg you to be assured of the respect, and sincere good wishes, with which I remain

Your friend & Servant

David Davis

To the Chief Justice and
the Associate Justices of the
Supreme Court of the United States.

Supreme Court
of the United States.
March 10, 1877.

Dear Brother Davis.

We have received with sincere regret your letter announcing that your official connection with us is closed. During the fifteen years in which you have been a member of this Court, questions of the gravest character have come before it for adjudication, and you have borne your full share of the labor and

responsibility which their decision involves.
We shall miss in the Conference room
your wise judgment and your just appre-
ciation of facts and in the reception
room your uniformly kind and courteous
greetings.

With the hope that your life in the future
may be as useful as it has been in the
past, and that the ties of personal friendship
which now bind us so closely to you
may never be broken,

We subscribe ourselves

Very Sincerely
Yours friends

(Signed) M. R. Waite
Nathan Clifford
N. H. Swayne
Sam. F. Miller
Stephen J. Field
W. Strong
Joseph P. Bradley
Ward Hunt.

The Honorable
David Davis.

47	John G. Benson vs Plff in Error. Josephine De Cuir	Mr. Carpenter in behalf of Mr. R. H. Marr, having suggested the death of John G. Benson, the plaintiff in Error in this cause, and filed letters testamentary appointing Mrs. Eliza Jane Hall, administratrix of the said John G. Benson, deceased, Now here moved the Court that the said Eliza Jane Hall, administratrix of the said John G. Benson, deceased, be entered as the party plaintiff in Error in this Court in place of said decedent. Whereupon it is now here ordered by the Court that the said Eliza Jane Hall, administratrix of the said John G. Benson, deceased, as aforesaid, be entered and made the party plaintiff in Error, in this cause in place of said decedent, with liberty to prosecute this writ of Error.
797	The United States vs Appellants Cyrus C. Clarke	On motion of Mr. D. K. Talbot leave is hereby granted the Clerk to issue the mandate in this cause.

The Board of County Commissioners of the County of Johnson,
582 vs. Plff in Error
Nathaniel Thayer.

In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and on the stipulation of counsel for the respective parties on file, and motion of Mr. Enoch Totten, it is now here ordered and adjudged by this Court, that the writ of Error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite.

Isaac C. Levi.
712 vs. Plff in Error
Carter Hawkins & Steam.

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of Louisiana, and on the authority of the plaintiff in Error on file and motion of Mr. Enoch Totten, it is now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite.

Jonathan G. Bigelow
1000 vs. Pff in Error
Emma E. Fiske

Mr. F. P. B Sands of counsel for the plaintiffs in Error having suggested to the Court that the plaintiff in Error was prepared to file the record and have this case docketed pursuant to the rules of this Court moved the Court to rescind and annul the judgment of this Court entered on the 1st instant, docketing and dismissing this writ of Error On consideration whereof it is now here ordered by this Court, that the judgment of the 1st instant docketing and dismissing this writ of Error be and the same is hereby rescinded and annulled and that the plaintiff in Error have leave

to file this cause and have the same docketed in conformity to the rules of this Court upon payment of costs.

per Mr Chief Justice Waite.

Lauderdale County	Effie Enos	vs.	J. T. Edmunds et al.
"	"	"	"
"	"	"	J. B. Leach
"	"	"	"
R. E. Dunlap	Appellant	"	Stephen W. Jones.

Mr. W. L. C. Humes of counsel presented the certificate of the Clerk in each of the above entitled causes and moved the Court that they be dismissed in pursuance of the 6th rule of this Court. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider

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The City of Memphis		Mr. W. L. C. Humes	
978 vs.	Appt's Effie Enos	of Counsel for	
Tallmadge E. Brown.		the appellant	
		and plaintiffs	

in Error having suggested that appellant or plaintiff in Error was prepared to file the record and have this cause docketed pursuant to the rules of this Court, moved the Court to rescind and annul the judgment of this Court entered on the 6th day of November last docketing and dismissing this cause. On consideration whereof it is now here ordered by this Court that the judgment of the 6th of November last docketing and dismissing this cause be, and the same is hereby rescinded and annulled and that the plaintiff in Error and appellant have leave to file its record and have the same docketed in conformity to the rules of this Court upon payment of costs.

Per Mr. Chief Justice Waite.

Charles E. Bowles et al
vs. Appellants
The United States.

Mr. Assistant Attorney General Smith presented the certificate

of the Clerk and moved the Court that this appeal from the Court of Claims be

docketed and dismissed pursuant to the 9th rule of this Court. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

	Harvey Ferry	The motion to advance this cause was submitted to the consideration of the Court by Mr. H. Ferry in support of the same.
193	vs. Pff in Error.	
	Thomas G. Cooley.	

	The United States	On motion of Mr. J. D. McPherson leave is hereby granted the Clerk to issue the Mandate in these Cases.
152	vs. Appellant	
	Charles Bostwick, Admr of S. R. Lovell, deceased.	
	and	
	Charles Bostwick Admr of S. R. Lovell, decd.	
153	vs. Appellant	
	The United States.	

	Enos and W. W. Lowe,	The motion to dismiss
178	vs. Plffs in Error.	this cause was sub
	Jesse Williams	mitted to the consid
		eration of the Court

on printed arguments by Mr. W. R. Steele in support of the same and by Mr. M. Blair in opposition thereto.

	Joseph J. Andrews	Appeal from the Cir
239	vs. Appellant	cuit Court of the
	Stephen M. Jones.	United States for
		the Western District

of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and on the stipulation of counsel on file, and motion of Mr. W. Y. C. Humes of counsel for the appellee, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate

per annum that decrees bear in the Courts of the State of Tennessee.

Per Mr. Chief Justice Waite.

Warren Van Norden et al.		Mr. S. Shellabarger filed motion to dismiss these cases.
794. vs.	Piffs in Errors	
Milton Benner		
(and)		
Warren Van Norden et al		
795. vs.	Piffs in Errors	
H. W. Washburn		

The National Bank of the Commonwealth of New York City.		Pursuant to stipulation of counsel on file, it is ordered that this
905 - vs.	Piff in Errors	
The Mechanics National Bank of Trenton, New Jersey.		

cause be assigned for argument on Thursday the 15th of March.

The Honorable Charles Devens appeared and produced the following Letters Patent which were ordered to be recorded. —

—— Rutherford B. Hayes. ——

President of the United States of America:

To all who shall see these Presents, Greeting:

Know ye that, reposing special trust and confidence in the patriotism, integrity and ability of Charles Devens, of Massachusetts, I have nominated and by and with the advice and consent of the Senate do appoint him to be Attorney General and do authorize and empower him to execute and fulfil the duties of that office according to law, and to have and to hold the said office with all the powers, privileges and emoluments to the same of right appertaining unto him the said Charles Devens, subject to the conditions prescribed by law.

In testimony whereof, I have caused these Letters to be made patent, and the Seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington, the twelfth day of March, in the year of our Lord, one thousand eight hundred

and seventy-seven, and of the Independence of the United States of America the one hundred and first.

By the President.
Hamilton Fish,
Secretary of State.

Proclamation being made the House is adjourned until tomorrow at twelve o'clock

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Tuesday March 13th 1877

Pursuant to adjournment the Court met today at the Capitol

Present,

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	William Strong	Justices
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay Esquire, Marshal
Daniel Sharp Gruebbler Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr R. T. Merrick it is ordered that Henry H. Finley, Esquire of St Paul, State of Minnesota and George H. Lovell Esquire of Waterbury, State of Connecticut, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this

behalf by Mr. L. D. Lord, it is ordered that Hugh L. Cole, Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips it is ordered that Isham G. Harris, and L. P. Walker, Esquires, of Memphis, State of Tennessee and S. C. Parker, Esquire of Sandusky, Erie County, State of Ohio be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Township of East Oakland, Plff in Error,
vs.
William B. Skinner.

In Error to the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois and was argued by counsel-

On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court.

per Mr. Justice Hunt.

The Board of County Commissioners of the County of Johnson, Plffs in Error

807 vs.

Nathaniel Thayer, E. M. Talfrey & George H. Weld.

In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that

similar judgments have in the Courts of the State of Kansas.

Per Mr. Justice Hunt.

	The United States	Appeal from the
1101	vs. Appellant	Court of Claims.
	Arthur Martin	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition of the claimant.

Per Mr. Justice Hunt.

	The United States	Appeal from
963	vs. Appellant	the Court of
	Frederick Phisterer.	Claims

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said Court of Claims with directions to enter a judgment in favor of the claimant for his mileage and dismissing his petition as to the claim for commutation for quarters and fuel.

per Mr. Justice Hunt.

The United States		Appeal from the
961 vs	Appellants	Court of Claims.
George W. Chilson.		

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court

of Claims in this cause be and the same is hereby reversed.- And that this cause be and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition of the Claimant.

per Mr Justice Hunt.

The United States
vs. Appellants
Edward B. Rheem

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby reversed.- And that this cause be and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition of the Claimant.

per Mr. Justice Hunt.

911	The United States vs. Frederick W. Lynde.	Appellants	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby reversed.- And that this cause be and the same is hereby remanded to the said Court of Claims with directions to dismiss the petition of the claimant.

Per Mr. Justice Hunt.

960	The United States vs. James R. Mears	Appellants	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof it is now here ordered

and adjudged by this Court that the judgment of the said Court of Claims be and the same is hereby affirmed.

per Mr Justice Hunt.

Henry Dreos
169 vs. Appellant
Jacob A Conover

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of New York.

per Mr Justice Strong.

George Jerome & Fernando C. Beaman, Assignees of the Lake Superior Ship Canal Railroad & Iron Company, a bankrupt, impleaded with the Lake Superior Ship Canal Railroad & Iron Company, & The Union Trust Company of New York.

180 vs.- Appellants.

Thomas A. McCarter, Trustee.

Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Strong.

Tuesday March 13th 1877. Continued

The Atlantic De Laine Company et al. vs. Lucinda James Admx of Edwin T. James, deceased.

120. Appellants.

Appeal from the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to dismiss the complainants bill.

Dissenting Mr Justice Clifford

Per Mr. Justice Bradley.

The American Bridge Co.
804. vs. Appellants
Mary Heidelbach, and
Milton Courtright, Trustees.

Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court.

Per Mr. Justice Swayne.

George Chorpenning
643 vs. Appellant.
The United States

Appeal from the Court of Claims.

This cause came on to be heard on the tran-

script of the record from the Court of Claims, and was argued by Counsel- On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed

per Mr Justice Swayne.

The Board of Commissioners of the County of Johnson. 581 vs. Piff in Error. Dennick & January.

In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts

of the State of Kansas.

Per Mr. Justice Swayne

	Robert W. Foster	In Error to the
116.	vs. Pff in Error.	Supreme Court of
	The Master and Wardens	the State of Louisiana
	of the Port of New Orleans	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by Counsel.- On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs.- And that this cause be and the same is hereby remanded to the said Supreme Court with directions to dismiss the petition.

Per Mr. Justice Swayne.

The Inman Steamship Company (Limited.)	Appeal from the Circuit Court
937. vs. Appellant	of the United
Edward G. Tinker, acting	States for the
Captain of the Port of	Southern District
New York.	of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause be and the same is hereby reversed with costs.- And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Swayne

Mr Chief Justice Waite did not sit in this case and took no part in the decision.

John A. Dutcher. Edmund H. Ball, and John R. Goodrich.	Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.
173 vs. Appellants	
Adoniram J. Wright, Assignee of Cecil Peterson, a Bankrupt.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United State for the Eastern District of Wisconsin, and was argued by Counsel On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Wisconsin.

per Mr. Justice Clifford.

The United States		Appeal from
798 vs.	Appellant	the Court of
Joseph Smith.		Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On Consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr. Chief Justice Waite.

M. O. McClure		In Error to the
933 vs.	Plff in Error	Circuit Court
The Township of Oxford		of the United
in Sumner County Texas.		States for the
		District of
Kansas.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by Counsel.

On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Dissenting Mr Justice Hunt | per Mr Chief Justice Waite.

Ex parte Conrad A Jordan Sol.

13 Original. Petitioners

In the matter of

Abraham S Hewell et al

vs

The New York and Oswego Midland R. R. Co. et al

Petition for writ of Mandamus and.

This cause came on to be heard on the petition and return to the rule and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that a writ of peremptory mandamus issue from this Court directed to the Judges of the Circuit Court of the United States for the Southern District of New York, requiring and commanding said Court

to allow an appeal on behalf of Conrad S. Jordan, Henry Clay, T. S. Jones, Edward Livingston, John C. Williams, Nathaniel S. Cowdrey, and Theodore Houston, from the Decree entered by said Court on the 2nd day of October A. D. 1876, in the case depending in said Court entitled "Abraham D. Hewitt, John G. Stearns and Charles H. Opdyke, Trustees &c, Complainants and The New York and Oswego Midland Railroad Company et al.

Per Mr. Chief Justice Waite.

Peter McEnery et al
plff in Error
vs.
Wells S. Rice.

In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this

cause be and the same is hereby affirmed with cost.

Per Mr. Chief Justice Waite

George D. Erskine, Collector of Internal Revenue.	In Error to the
178. vs. Plff in Error.	Circuit
The Milwaukee & St. Paul	Court
Railway Company	of the
	United
The Milwaukee & St Paul	States
Railway Company.	for the
179. vs. Plff in Error.	Eastern
George D. Erskine, Collector	District
of Internal Revenue.	of Wiscon
	sin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be

and the same is hereby affirmed with interest until paid at the same rate per annum. That similar judgment have in the Courts of the State of Wisconsin. Each party to pay the costs incident to his own writ.

per Mr. Chief Justice Waite.

Elisha Ruckman
Plff in Error,
vs.
William P. Seyholz

In Error to the Supreme Court of the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New Jersey, upon a writ of error from the Court of Errors and Appeals of the State of New Jersey, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite.

John A. Haynes.		In Error to the
137 vs.	Pff. in Error	Supreme Court
James B. Pickell, John		of the State of
A. Preston et al		Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Chief Justice Waite.

Elizabeth Mead et al.		Motion for leave to
704 of Oct Term 76 vs.	Appellants	file a Bill of Review
Daniel Pingard.		in the Circuit Court.

Without determining whether the new matter alleged to have been discovered since the rendition of the decree in this cause, will be sufficient if shown, to justify a reversal, the petition presented to this Court January 29th 1877 for leave to file a bill of review

is granted.

per Mr. Chief Justice Waite.

Erasmus D. Force
1178 vs. Pffs in Error
William H. McVeigh

On consideration of the motion to dismiss this cause for want of jurisdiction, it is ordered that the motion as it now stands be postponed with leave to the defendant in Error to amend by adding a motion to affirm because the question involved has been decided already, and no further argument is necessary.

per Mr. Chief Justice Waite.

James H. Wood et al.
No vs. Pffs in Error
The United States.

On motion of Mr. Chas. C. Williams of Counsel for the plaintiffs in Error it is now here ordered by the Court that the judgment entered in this cause on the 13th of December A. D. 1876. dismissing this writ of Error be, and the same is hereby reversed

and annulled and that the case be reinstated upon the docket

per Mr. Chief Justice Waite.

William Bayne et al		On motion of Mr.
170. vs.	Appellants	R. T. Merrick leave
The United States		is hereby granted
		the clerk to issue

the mandate in this cause

The City of Memphis		The motion to
913. vs.	Appellant or	rescind the order
	Plff in Error	entered on the
Gallmadge E. Brown		12th instant
		granting leave

the appellant or plaintiff in Error to file the record and docket this cause was argued by Mr. P. Phillips in support of said motion and by Mr. W. G. C. Humes in opposition thereto. Whereupon it is now here ordered by the Court that said motion be and the same is hereby denied. And that the cause stand upon the docket for argument as No. 913.

per Mr. Chief Justice Waite.

The State of New Jersey
17 Orig. vs. Complainant.
The State of Delaware.

On motion of Mr E. L. Stanton leave is hereby granted him to file a bill in this cause, and it is ordered that subpoenas issue to the defendants - and that the motion for preliminary injunction be assigned for argument on Monday next the 18th instant.

S. H. Clarke
196 vs. Pff in Error.
C. H. Hancock et al.

The motion to dismiss or set aside the supersedeas in this cause was submitted to the consideration of the Court on printed argument by Mr. P. Phillips in support of the same, and by Mr. C. W. Connor in opposition thereto.

Socrates Huff
661 vs. Pff in Error.
C. W. Doyle et al.

On motion of Mr. W. J. Johnston, leave is hereby granted the Clerk to issue the Mandate in this cause.

William M. Farrington
982 vs. Pff in Error.
The State of Tennessee et al.

S. K. Dunscomb
983 vs. Pff in Error.
The State of Tennessee et al.

M. J. Wicks
984 vs. Pff in Error
The State of Tennessee et al
(and)
J. C. Neely.
985 vs. Pff in Error
The State of Tennessee et al.

The motions to dismiss these cases were submitted to the consideration of the Court on printed arguments by Mr. S. P. Walker in support of the same, and by Mr. B. M. Estes and Mr. J. C. Harris in opposition thereto.

Napoleon Hill and the Memphis City Fire and General Insurance Company
1001 vs. Pff in Error.
The State of Tennessee and the County of Shelby.

The motion to dismiss this cause was submitted to the consideration of the Court on printed argument by Mr. S. P. Walker

in support of the same and by Mr. W. W. Sneed in opposition thereto.

The United States, to use of W. J. Smith & Fielding Hurst vs. Connelly F. Trigg. In the matter of W. J. Smith & Fielding Hurst Petitioners.

Mr. S. P. Walker and Mr. W. W. Sneed filed and submitted to the Consideration of the Court, petition for a

rule in this cause &c.

The United States, to use of John R. Flippin et al. vs. Connelly F. Trigg. In the matter of John R. Flippin et al. Petitioners.

Mr. S. P. Walker filed and submitted to the consideration of the Court petition for a writ of

mandamus in this cause.

Lauderdale County

1004 10 Plffs in Error

John D. Edmunds, Composing the firm of John D. Edmunds & Co.

Mr. M. G. C. Humes of counsel for the defendants in Error, having filed and read in open Court the following

certificate to wit.

John D. Edmunds, Composing firm of John D. Edmunds & Co.

vs.

Lauderdale County Tennessee

In the Circuit Court of the United States for the Western District of Tennessee at Memphis.

In the above entitled cause lately depending in this Court on the 8th day of June 1875, judgment was rendered for the plaintiffs against the defendant Lauderdale County for the sum of ($20,824.) Twenty Thousand Eight Hundred and Twenty-four Dollars and costs of suit and on the 8th day of July 1876, a writ of Error was sued out and allowed to the then next October Term of the Supreme Court

of the United States at Washington D.C. and bond on writ of Error given in the penalty of $250. with J. L. Herring, Chairman as principal and William Comer as sureties, and conditioned as required by law.

I, Horace E. Andrews, Clerk of the Circuit Court of the United States for the Western District of Tennessee at Memphis, do hereby certify the foregoing to be true and correct as appears from the records of said cause on file in my office.

In testimony whereof witness my hand and the seal of said Court, at Memphis, Tennessee, this 15th day of January 1877.

Horace E. Andrews,
Clerk of the United States Circuit Court for West Tennessee.

And having stated that the said plaintiff in Error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of Error, now here moved the Court in pursuance of the 9th rule of this Court to have

the writ of Error in this cause docketed and dismissed. Our consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause to the Circuit Court of the United States for the Western District of Tennessee be, and the same is hereby docketed and dismissed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr Chief Justice Waite.

Lauderdale County
1005 vs. Appellant
John T. Edmunds, comprising firm of John T. Edmunds & Co

Mr. M. J. C. Humes of counsel for the appellee having filed and read in open court the following Certificate to wit

John T. Edmunds composing firm of John T. Edmunds & Co.
vs.
Lauderdale County, Tennessee.

In Circuit Court of the United States for the Western

District of Tennessee

In the above entitled cause lately depending in this Court, on the 29th day of June 1876 a peremptory mandamus was ordered and decreed, compelling Defendant Saunders dale County to levy a tax sufficient in amount to satisfy and pay off a judgment recovered against it by the plaintiff on the 8th day of June 1875 for the sum of 20,824 $ and costs and from such order for peremptory mandamus to issue the defendant on the same day prayed and obtained an appeal to the next term of the Supreme Court of the United States to be holden at Washington D.C. and made and executed a bond with J.L. Herring Chairman as principal, and William Connor, as surety in the penalty of $3500= conditioned as required by law.

I, Horace E. Andrews Clerk of the Circuit Court of the United States for the Western District of Tennessee at Memphis do hereby certify the foregoing to be true and correct as appears from the records of said

cause on file in my office

In testimony whereof Witness my hand and the seal of said Court at Memphis, Tennessee, this 13th day of January 1877.

Horace E. Andrews.
Clerk of the United States Circuit Court for West Tennessee. at Memphis Tenn.

and having stated that the said appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal now here moved the Court in pursuance of the 6th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Western District of Tennessee be, and the same is hereby docketed and dismissed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

1006 Landendale County vs. John B. Leech. | Peffin Error. | Mr. W. G. C. Harris of Counsel for the defendant in Error, having filed and read in open Court the following Certificate to wit:

John B. Leech vs. Landendale County Tennessee. | In the Circuit Court of the United States for the Western District of Tennessee at Memphis.

In the above entitled cause lately depending in this Court on the 29th day of May, 1875 judgment was rendered in favor of the plaintiff and against the Defendant Landendale County for the sum of ($11153^{00}) Eleven Thousand One Hundred and Fifty Three Dollars and costs of suit and on the 8th day of July 1876, a writ of Error was sued out and allowed to the then next October Term 1876 of the Supreme Court of the United States at Washington D.C. and a bond

for the writ of Error was given in the Penalty of $200, with J. L. Herring, as principal and William Connor as surety, conditioned as required by law.

I, Horace E. Andrews, Clerk of the Circuit Court of the United States for the Western District of Tennessee do hereby certify the foregoing to be true and correct as appears from the records of said cause on file in my office

In testimony whereof witness my hand and the seal of said Court, at Memphis Tennessee this the 15th day of January 1877.

Seal

Horace E. Andrews
Clerk of United States Circuit Court for Western Tennessee, at Memphis

And having stated that the said plaintiff in Error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of Error, now here moved the Court in pursuance of the 9th rule of this Court, to have this writ of Error dismissed and the

missed. Our Commission whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause to the Circuit Court of the United States for the Western District of Tennessee be, and the same is hereby docketed and dismissed with costs. And that this Cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr Chief Justice Waite.

Lauderdale County
vs. Appellant
John B. Sneed

Mr. W. G. C. Humes of Counsel for the appellee having filed and read in open Court the following certificate to wit

John B. Sneed
vs
Lauderdale County

In the Circuit Court of the United States for the Western District of Tennessee,

at Memphis

In the above entitled cause lately depending in this Court on the 29th day of June 1876, a peremptory Mandamus was ordered and decreed compelling Defendant Lauderdale County to levy and collect a tax sufficient in amount to satisfy and pay off a judgment recovered against it in this Court on the 29th day of May, 1875 for the sum of $11037.50 and costs of suit and from such order for peremptory writ of Mandamus to issue the Defendant on the same day prayed for and obtained an appeal to the then next term of the United States Supreme Court at Washington D.C, and made and executed its appeal bond with J.L. Herring, Chairman, as principal and William Connor, as surety in the penalty of $1500 conditioned as required by law.

I Horace E. Andrews, Clerk of the Circuit Court of the United States for the Western District of Tennessee at Memphis do hereby certify the foregoing to be true and correct as appears from the records of said Cause on file in my office

In testimony whereof Witness

my hand and the seal of said Court at office in Memphis Tennessee this the 15th day of January 1877.

Hiram E. Andrews
Clerk of United States Circuit Court for West Tennessee, at Memphis.

And having stated that the said appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal. Now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Western District of Tennessee be, and the same is hereby docketed and dismissed with costs - And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Waite.

R. E. Dunlap
1008 vs. Appellant
Stephen M. Jones.

Mr. M. Y. C. Humes of counsel for the appellee having filed and read in open Court the following certificate to wit

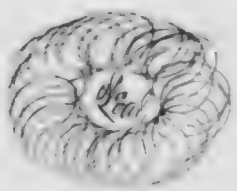
Stephen M. Jones
vs.
R. E. Dunlap

In the Circuit Court of the United States for the Western District of Tennessee, at Memphis, Tennessee.

In the above entitled cause on the 15th day of December 1876, a decree was rendered in favor of complainant Stephen M. Jones against Defendant R. E. Dunlap for the sum of Six thousand and nineteen 70/100 Dollars and costs of the cause, and on the same day and as a part of the same decree an appeal was granted defendant by the Court, to the Supreme Court of the United States at Washington D.C. and a bond for appeal was given on the 13th day of February 1877 by defendant R. E. Dunlap as principal with J. M. James and Em. Etheridge as sureties

in the penalty of $ 12039 $\frac{45}{100}$ conditioned to abide by and perform the decree of the said Supreme Court,

I, Horace E. Andrews Clerk of the Circuit Court of the United States for the Western District of Tennessee at Memphis do hereby certify the foregoing to be true and correct as appears from the records on file in my office.



In testimony whereof I have my hand and the seal of said Court at Memphis Tennessee, this the 15th day of January 1877.

Horace E. Andrews.

and having stated that the said appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Western District of Tennessee be and the same

is hereby docketed and dismissed with costs.
And that this cause be and the same is hereby remanded to the said Circuit Court to be proceed ed in according to law and justice.

Opin Mr. Chief Justice Waite.

	Charles E. Bowles and Fannie A. Coryell, admx of Thomas D. Coryell, deceased.	Mr. Assistant Attorney General Smith of Counsel for the appellee having filed and read in open Court
1099.	vs. Appellants	
	The United States	

the following certificate, to wit:

"In the Court of Claims.

Charles E. Bowles, and Fannie A. Coryell, Admx of Thomas D. Coryell, decd	No. 6,191.
vs	
The United States	

I certify that judgment was entered by the Court of Claims on the 11th day of March, 1872, in favor of the defendants and

dismissing the petition of the claimants that on the 29th day of April 1872 application was made in open Court by the Counsel for said claimants for allowance of an appeal to the Supreme Court of the United States from the judgment aforesaid in the cause aforesaid, whereupon it was ordered by the Court, that the appeal be allowed.

In testimony whereof I hereunto set my hand and affix the seal of said Court of Claims this 9th day of March, 1877.

John Randolph.
Ass't Clerk Ct of Claims.

And having stated that the said appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed.- On consideration whereof it is now here ordered and adjudged by this Court that this appeal from the Court of Claims be, and the same is hereby docketed and dismissed.

And that this cause be and the same is hereby remanded to the said Court of Claims to be proceeded in according to law and justice

per Mr. Chief Justice Waite

The United States
119 vs. Appellants
John Young, trustee in
bankruptcy &c.

On motion of Mr. W. W. MacFarland it is ordered that one hour additional time be allowed him in the argument of this cause.

The United States
119 vs Appellants
John Young, trustee
in bankruptcy &c.

The argument of the motion to dismiss this cause was commenced by Mr. Assistant Attorney General Smith in support of the same and continued by Mr. W. W. MacFarland in opposition to the motion to dismiss, and in support of the motion for a writ of certiorari.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Wednesday March 11th 1874.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable	Morrison R. Waite.	Chief Justice.
	Nathan Clifford.	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	William Strong	Justices
	Joseph P. Bradley	
	Ward Hunt	

John G. Nicolay, Esquire. Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. D. D. Lord, it is ordered that D. T. Dunaan, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Matt. H. Carpenter, it is ordered that E. W. Keyes, Esquire, of Madison, State

of Wisconsin be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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The United States
119 vs. Appellants
John Young, trustee
in Bankruptcy &c

The argument of the motion for writ of certiorari in this cause was continued by Mr. W. H. MacFarland in support of the same, and in opposition to the motion to dismiss. The Court declined to hear further argument for the present.

Amos Gould
175 vs. Pff in Error
Henry Day.

On motion of Mr. Lord and stipulation on file it is ordered that this cause be passed when reached in the regular call of the docket.

The Armstrong Heater Manufacturing Company, et al.
893 vs. Appellants
The Stillwell & Bierce Manufacturing Company.

Mr. W. H. Corporon having suggested that the Appellant was prepared to file the

record and have this cause docketed pursuant to the rules of this Court, moved the Court to rescind and annul the decree of this Court entered on the 13th of October last, docketing and dismissing this appeal. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the 13th of October last, docketing and dismissing this appeal be, and the same is hereby, rescinded and annulled; and that the appellant have leave to file its cause and have the same docketed in conformity to the rules of this Court upon payment of costs.

Per Mr. Chief Justice Waite

George Eyster, Asst. Treasurer
788 vs. Appellant
The Centennial Board of
Finance et al.

On motion of Mr. Assistant Attorney General Smith it is ordered that this cause be re-assigned for argument on the nineteenth instant.

John L. Macauley et al.
139 vs. Appellants.
Charles Clinton et al.

On motion of Mr. B. J. Sippill it is now here ordered by the Court that the record in this cause be, and the same is hereby remitted to the Circuit Court of the United States for the District of Louisiana for such further proceedings as law and justice may require.

Per Mr. Chief Justice Waite.

The State ex rel. John L. Macauley
1131 vs. Plff in Error.
Charles Clinton, Auditor &c.

On motion of Mr. B. J. Sippill it is now here ordered by the Court that the record in this cause be, and the same is hereby remitted to the Supreme Court of Louisiana for such further proceedings as law and justice may require.

Per Mr. Chief Justice Waite

John S. Williams et al.
757 vs Plff in Error.
The State of Louisiana,
Charles Clinton, Auditor

Ordered by the Court that the order advancing this cause be,

and the same is hereby rescinded and annulled.

Charles P. Morrill
585 vs. Pff in Error.
The State of Wisconsin

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. P. C. Crottell of Counsel for the plaintiff in Error.

The People ex rel. The Salaria National Bank et al
956 vs. Pff in Error.
The Commissioners of Taxes and Assessment of N.Y. City.

This cause was argued by Mr. D. D. Ford of counsel for the plaintiff in Error, and by Mr. H. L. Cole, for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday March 15. 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite — Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
William Strong
Joseph P. Bradley
Ward Hunt.
— Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Hesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Enoch Totten, it is ordered that James H. Anderson, Esquire, of Keokuk, State of Iowa, and E. H. Carpenter, Esquire, of Newbern State of North Carolina be admitted to practice as Attorneys and Counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Gen Wm Pinkney Whyte, it is ordered that Hon J. E. Bailey of Clarksville, State of Tennessee, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. B. C. Drew it is ordered that James F. Maybee Esquire of Tampa, State of Florida, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Thomas Wilson, it is ordered that Marcus D. Hopkins Esquire of Washington City, District of Columbia be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Joseph J. Andrews
359 vs Appellant.
Stephen M. Jones.

On motion of Mr S. P. Walker, leave is hereby granted the Clerk to

issue the mandate in this cause

The Board of Supervisors of Wood County. Plff in Error.
67. vs.
The Lackawana Iron & Coal Company.

On motion of Mr. Enoch Totten leave is hereby granted the Court to issue the mandate in this cause

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Ex parte. In the matter of John R. Flippin and al Petitioners

On motion of Mr. S. P. Walker leave is hereby granted him to file printed argument in this cause.

Nicholas W. Casey vs. Plaintiff
Received
15. Orig. Count Gottfried Galitz

On motion of Mr. J. T. McPherson leave is hereby granted him to amend his plea in this cause.

Nicholas H. Carey, use &c. vs
15 Orig.l Plaintiff
Court Gestrodi Gallis.

The argument of the demurrer and pleas in abatement in this cause was

commenced by Mr. C. Case of Counsel for the plaintiff, continued by Mr. J. D. McPherson of Counsel for the defendant. The Court declined to hear further argument.

The National Bank of the Commonwealth of New York City.
905 vs. Pff in Error.
The Mechanics National Bank of Trenton, New Jersey.

Ordered by the Court that this cause be re-assigned for argument on Tuesday next the 20th instant.

The County of Dallas
152 vs. Pff in Error.
John F. Mackenzie.

This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. Wm. Patrick of counsel for plaintiffs in Error, with leave to defendant in Error to file briefs

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Brook Mackall jr.
183 vs. Pltff in Error
The Chesapeake & Ohio Canal Company.

This cause was argued by Mr. W. S. Cox of counsel for the defendant in Error, and

submitted on printed arguments by Mr. C. Ingle and Mr. S. Shellabarger of counsel for the plaintiff in Error.

Brook Mackall Sr. & jr.
184 vs. Appellants
Alfred Richards et al.

This cause was argued by Mr Thomas Wilson and Mr. W.B. Webb of counsel for the appellees and submitted on printed argument by Mr. C. Ingle and Mr. S. Shellabarger of counsel for the appellant.

Benjamin Beall et al.
185 vs. Appellants
E. E. White et al

The argument of this cause was commenced by Mr. W. D. Davidge of counsel for the appellants and continued by Mr. Enoch Totten of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday March 16. 1877

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite,	Chief Justice.
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	William Strong	Justices
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay, Esquire, Marshal.
Daniel Mesby Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. F. Wheeler, it is ordered that H. Edwin Tremain, Esquire of New York City be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

The Continental Insurance Company of New York.
vs. Pltf in Error.
Thomas C. Kasey.

In Error to the Supreme Court of Appeals of the State of Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia and on the authority of Counsel for the plaintiff in Error, on file, and motion of Mr. Enoch Totten, it is now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite

Hiram Barney.
vs. Pltf in Error.
The City of Richmond et al.

It is ordered by the Court that the motion of Mr. Enoch Totten for leave to file additional brief in this cause be, and the same is hereby denied.

Benjamin Beall et al.
185 vs. Appellants
Elias E. White et al.

The argument of this cause was continued by Mr. Enoch Fallen of counsel for the appellees, and concluded by Mr. W. D. Davidge of counsel for the appellant.

Thomas Collins
186 vs. Plff in Error
W. S. Gilbert et al.

This cause was argued by Mr. R. J. Merrick of counsel for the plaintiff in Error and by the Att. Gen. of counsel for the defendant in Error.

D. Freeman Poole et al.
187 vs. Appellants
Daniel Tyler.

This cause was argued by Mr. F. A. Wilcox of counsel for the appellants, and by Mr. E. P. Wheeler of counsel for the appellees.

George and Mary E. Seitz
189 vs. Appellants
John E. Mitchell

The argument of this cause was com-

moved by Mr. Francis Miller.
of counsel for the appellants.

Proclamation being made the Court is
adjourned until Monday next at twelve
oclock.

Monday March 19. 1877.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable Morrison R. Waite — Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
William Strong — Justices.
Joseph P. Bradley
Ward Hunt

John G. Nicolay, Esquire. Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

Peter Doyle, Secretary of the State of Wisconsin. — Appeal from the Circuit
910 -vs- Appellant. — Court of the
The Continental Insurance Company of the City of New York. — United States for the Western District of Wisconsin.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with direction to enter a decree dismissing the bill.

And it is further ordered that this decree be entered nunc pro tunc as of the 1st of March instant.

Dissenting
Mr Justice Bradley
" " Swayne
" " Miller

per Mr. Justice Hunt.

William F. Cochrane William Howden, Rodney Mason, M. S. Cox et al, vs. Appellants Josiah N. Dener, George W. Cissell, Jas. H. Welch et al.	Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs,- And that this cause be and the same is hereby remanded to the said Supreme Court for further proceedings to be had in conformity with the decision of this Court,

Dissenting per Mr. Justice Bradley.
Mr. Justice Clifford
" " Strong.

John L. Phipps. C. P. Phipps
M. T. Holworthy. B. Allen.
C. J. Oostenbagh & T. E. Phillips
100 vs. Appellants
John Sedgwick, Assignee of
James K. Place & James D. Spotswood
Bankrupts

(and)

Baker Place & Arthur G.
Sullivan, Executors of
Susan K. Place, deceased
101 vs. Appellants
John Sedgwick, Assignee &c

Appeals from the Circuit Court of the United States for the Southern District of New-York.

These causes came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and were argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that so much of the decree of the said Circuit Courts in these causes as directs the payment of the proceeds of the sale of the Fifth Avenue Prop. city, to wit. the sum of ninety three thousand

one hundred and sixty one 70/100 dollars to the assignee John Sedgwick is affirmed, but this affirmation is without prejudice to the right of any person now holding the debt growing out of Phipps & Co's commercial debt against James H. Place & Co, to present it for the purpose of having it allowed as a claim against the bankrupt estate and without any determination of that right.

And so much of said decree as directs that the complainant recover from the Executors of Susan A. Place the sum of twenty-two thousand one hundred and sixty dollars and interest be, and the same is hereby, reversed.

In all other respects the decree is affirmed.

The cost in this Court to be paid by the appellants in No 100 and the appellee in No. 101.

And it is further ordered that these causes be, and the same are hereby remanded to the said Circuit Court for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Miller.

Georgeanna Thompson, Claimant of the Steamboat "Margaret"	Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.
177 vs Appellant.	
Charles F. Bliss, Alexander C. Bunch, & Frederick W. Bruce.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by Counsel.

On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid at the same rate per annum that decrees bear in the Courts of the State of Wisconsin.

Dissenting Mr. Chief Justice Waite, Justice Miller, " " Strong

per Mr. Justice Swayne.

Albert Conro, Willard J. Carkin and B. Hancock.

840 vs Appellants

Charles L. Crane and Jefferson Hodgkins.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the motion of Mr Cooper and Mr. Phillips of counsel for the appellees to dismiss which was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby dismissed for want of jurisdiction.

per Mr. Chief Justice Waite.

Charles F. Merrill

685 vs. Pfff in Error

The State of Wisconsin.

In Error to the Supreme Court of the State of Wisconsin

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court with instructions to enter a judgment reversing the judgment of the Circuit Court and directing that Court to discharge the defendant from imprisonment and to suffer him to depart without day.

per Mr. Chief Justice Waite.

Brook Mackall Sr.
(by) Brook Mackall Jr.
1811 vs Appellants
Alfred Richards, et al.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was

argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

per Mr. Chief Justice Waite

S. H. Clark
vs. Error to the
995 No. Supreme Court of
C. R. Hancock and the State of
John Kelly California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on the motion of Mr. Phillips of Counsel for the defendant in Error to dismiss which was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby, dismissed for want of jurisdiction.

per Mr. Chief Justice Waite

William M. Farrington
983 vs. Pff in Error
The State of Tennessee et al.

S. H. Dunscomb
983 vs Pff in Error
The State of Tennessee et al.

W. J. Hicks
984 vs Pff in Error
The State of Tennessee et al.

J. C. Neely
985 vs. Pff in Error
The State of Tennessee et al.

Napoleon Hill et al
1001 vs. Pffs in Error
The State of Tennessee et al.

On consideration of the motion to dismiss these cases and of the argument of Counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said motions be, and the same are hereby denied

per Mr. Chief Justice Waite.

778 Enos Lowe et al. vs. Peffer in Error. Jesse Williams.

On consideration of the motion to dismiss this cause it is ordered that the defendant in Error have leave to amend his motion, by uniting therewith under rule 6 a motion to affirm, and the further hearing is postponed for that purpose.

Per Mr. Chief Justice Waite.

Amendment of General Order XXX. of the General Orders in Bankruptcy, entitled "Fees and Costs" under the head of "Assignees"

It being found that in certain special cases requiring great care and exertion on the part of assignees in bankruptcy, the fees and allowances now provided are insufficient, it is therefore, hereby, Ordered, That in such cases as are above mentioned, the District Judge be, and is hereby authorized, by and with the advice and concurrence of the Circuit Justice or Judge to make such additional allowances to the assignee

or trustee or to both or either of them. if there be more than one, as in his judgment shall be a fair and just compensation for his or their services, having regard to the amount of assets, the amount of labor required and the special circumstances of the case; and that so much of General order XXX as conflicts herewith be repealed.

Retirement of Mr. Justice Davis.

Mr. Attorney General Devens presented the Resolutions of the Bar, adopted at a meeting held in the Court Room on the 19th instant, and made the following remarks. —

I ask but a single moments' delay in the business of the Court that I may on behalf of the Bar, present to your Honors certain resolutions expressive of their respect for the Hon. David Davis, late an Associate Justice, and of their regret at his retirement from the duties of the high office which he has so long and ably

filled.

If these resolutions shall in any way be found obnoxious to just criticism, it will be because they err on the side of too much repression. The Bar have preferred this rather than it should be said that there has been any exaggeration in their expressions of respect for him, or regret for his departure to other fields of labor and duty. They are quite well aware that the time for the full consideration of his many claims upon their respect and gratitude, and of his just eulogy, has not arrived; and they earnestly hope that the hour for this may be long postponed. But they are unwilling to part from him in the Chamber where he has so long listened with patience and decided with justice without an assurance on their part that they appreciate his industry, fidelity and ability in the many harassing, grave and important matters which have been passed upon by this Court while he was one of the Associate Justices.

The monument of his reputation is to be found in the volumes of reports which

have followed the lines of his appointment, and which are to stand permanently. To discharge the duties of a Magistrate of this Court, to the considerate acceptance of those who have conducted the controversies before it is no easy task. The fame which is embodied in our somewhat shabby sheepskin volumes seems but a dusty immortality. There is nothing to please the ear like the triumphs of eloquence in the halls of debate or delight the eye like the victories of martial glory, in these calm, closely reasoned judgments. Little read although they may be by the masses of the people, yet they reach every man in his property, his life and every thing that life holds dear. And we would willingly believe that the fame won by an upright and able Judge is equally honorable and dignified with that which can anywhere be won by faithful public service.

Conscious of the purity and ability of Mr. Justice Davis in the great task which he has been heretofore called upon to perform the Bar have desired to

please upon record their sense of obligation to him, and to express their anxiety that his large capacity for service may prove equally agreeable to himself and useful to our country where he has deemed it his duty to transfer it.

I offer, may it please Your Honors the following resolutions.

Resolutions

Resolved, That the members of the bar of the Supreme Court of the United States have learned with deep regret of the resignation of Mr. Justice Davis,

Resolved: That they desire to record their high sense of the learning, ability, love of justice and fearless independence which he brought to the discharge of his judicial duties, and their grateful appreciation of the courtesy which he habitually extended to them.

Resolved: That the Chairman of the meeting be requested to communicate these resolutions to Judge Davis, and that the Attorney General be requested to present them to

the Court, and ask that they be entered upon its minutes.

Mr Chief Justice Waite responded and directed that the remarks of the Attorney General together with the Resolutions of the Bar, be entered upon the minutes.

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359 Joseph S. Andrews, Appellant vs. Stephen M. Jones. | Suggestion of the death of Joseph S. Andrews, the Appellant in this cause having been filed at a prior term of this Court. It is now on motion of Mr. C. Phillips ordered that the appearance of Miriam J. Andrews, Executrix and Joseph S. Andrews and Solomon F. Andrews, and Montefiore J. Andrews, Executors of the said Joseph S. Andrews, deceased, be entered as parties appellants in this cause in place of said Joseph S. Andrews, deceased, nunc pro tunc as of the 12th day of March A. D. 1877.

	The Inman Steamship Co.	On motion of Mr
937	vs - Appellant.	Assistant Attorney
	Edward G. Tinker & a.	General Smith it

is ordered that leave be granted the Clerk to issue the mandate in this cause.

	George Jerome et al	On motion of Mr.
180	vs. Appellants	A. Wilson leave
	Thomas A. McCarter	is hereby granted

the Clerk to issue the mandate in this cause.

	Alfred E. Tillon et al.	On motion of
88	vs. Appellants	Mr. Williams
	Joseph B. Losfild et al.	leave is hereby

granted the Clerk to issue the mandate in this cause.

	The Armstrong Heater	Mr. S. S. Kentle
	Manufacturing Co., et al	filed motion to
893	vs. Appellant	rescind and an-
	The Stillwell & Bierce	nul the order en-
	Manufacturing Co.	tered on the 14th

instant, vacating

this cause upon the docket.- Assigned for Monday next the 26th instant.

Mary A. Pearson et al. Pffs in Error.
771 vs
Josephine Jane Yeardall.

Mr. Collis submitted to the consideration of the Court, motion for leave to intervene and for leave to file motion to dismiss this cause.

The State of New Jersey Complainant
17 Orig. vs.
The State of Delaware.

The argument of the motion for preliminary injunction in this cause was commenced by Mr. F. T. Frelinghuysen of counsel for the Complainant and continued by Mr. T. F. Bayard of counsel for the respondent and concluded by Mr. Jacob Vanatta of counsel for the complainant.

Ex parte James T. Easton and James McMahon. Petitioners.

This cause was submitted to the consideration of the Court, on

printed arguments on the question "whether in a cause of wharfage there is a lien given by the general maritime law" and as to whether the Court will issue provisional writs- by Mr. McCarty in support of the motion to issue the writ

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Francis E. Hinckley, Trustee.
9147 vs. Appellant
The Gilman, Clinton and Springfield R. R. Co.

The motion to dismiss this cause was submitted to the consideration

of the Court on printed arguments by Mr. R. Biddle Roberts in support of the same and by Mr. S. F. McConnell in opposition thereto.

George & Mary E Seitz
189 vs. Appellants
John E. Mitchell.

The argument of this cause was continued by Mr. Francis Miller

of counsel for the appellants and by Mr. R. Ross Perry of counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday March 20. 1877

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller — Associate
Stephen J. Field — Justices
William Strong
Joseph P. Bradley
Ward Hunt,

John G. Nicolay Esquire, Marshal.
Daniel Haley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E.J. Phelps it is ordered that John G. McCullough, Esquire, of North Bennington, State of Vermont, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

Albert Coons, et al.
3110 vs. Appellants
Charles S. Crane et al.

On motion of Mr. P. Phillips leave is duly granted the Clerk to issue the mandate in this cause.

George & Mary E. Seitz
189 vs. Appellants
John F. Mitchell.

The argument of this cause was continued by Mr P. Ross Perry of counsel for the appellee and concluded by Mr. A.G. Riddle of counsel for the appellants

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George Eyster, Asst. Treas. &c
988 vs. Appellant
The Centennial Board of Finance et al.

The argument of this cause was commenced by Mr. Assistant Attorney General Smith of counsel for the appellants and continued by Mr. Wm H. Rawle, and Mr. Robert N. Willson of counsel for the appellees.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday March 21. 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable	Morrison R. Waite.	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller.	Associate
	Stephen J. Field	Justices.
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay, Esquire. Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Joseph Casey it is ordered that Robert Henry McClellan, Esquire of Troy, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

George Eyster, Treas. &c
988 vs Appellant
The Centennial Board
of Finance et al.

The argument of this cause was continued by Mr. Robert N. Willson of counsel for the appellees and concluded by Mr. W. M. Springer of counsel for the defendant.

The National Bank of the
Commonwealth of New York City.
905 vs Plff in Error.
The Mechanics National Bank
of Trenton, New Jersey.

This cause was argued by Mr. Solicitor General Phillips of counsel for the plaintiff in Error, and by Mr. W. S. Optdyke of counsel for the defendant in Error.

Nathan Greenwald
68 vs. Plff in Error
Peoples Bond. Adv't &c.

This cause was argued by Mr. Albert Pike of counsel for the plaintiffs in Error and by Mr. R. T. Merrick, of Counsel for the defendant in Error.

Silas M. Waite
191 vs. Pltff in Error.
Geo. S. Dowley, Treas. &c. Defts in Error.

(Substituted for No 190.)
The argument of this cause was commenced by Mr. E. J. Phelps of Counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday March 22. 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite	Chief Justice
	Nathan Clifford	Associate Justices
	Noah H. Swayne	
	Samuel F. Miller	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt	

John G. Nicolay Esquire, Marshal
Daniel Wesley Middleton. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. D. McPherson it is ordered that Joseph Bryan. Esquire of Richmond State of Virginia, be admitted to practise as an attorney and counsellor of this Court and he was sworn accordingly.

Silas M. Waite
191 vs. Pff in Error
Geo. S. Dowley, trustee &c

The argument of this cause was continued by Mr. E. J. Phelps of counsel for the plaintiff in Error, by Mr Chas. N. Davenport of counsel for the defendant in Error, and concluded by Mr. E. J. Phelps for the plaintiff in Error.

Franz A. Mueller et al.
411 vs. Appellants
David Dows et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. M. Da Costa of counsel for the appellants, and by Mr. Thomas F. Withrow for the appellees.

The County of Scotland
190 vs. Pff in Error.
Joseph T. Thomas.

The argument of this cause was commenced by Mr. George W. McCrary of counsel for the plaintiff in Error, and continued by Mr. T. T. Hughes of counsel for the

defendant in Error.

Proclamation being made the Court is adjourned until Tomorrow at twelve o'clock.

Friday March 23d 1877

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	William Strong	Justices
	Joseph P. Bradley	
	Ward Hunt	

John G. Nicolay, Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by the Assistant Attorney General Smith, it is ordered that Thomas Weston jr. Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr H. G. Miller, it is

ordered that Edward A. Thomas. Esquire of Evanston, Wyoming Territory be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Olaf Johanson, Alias Ole Johnson	On motion of Mr S. C. Judd it is ordered that this cause be substituted for No. 192
191	vs. Appellant	
	Stephan Stephanson	

and vice versa.

	James Callanan jr	On motion of Mr. R. P. Lowe leave
115	vs. Appellant	is hereby granted
	Michael Hurley.	the Clerk to issue

the mandate in this cause.

	The County of Scotland	The argument of
190	vs. Plff in Error.	this cause was
	Joseph F. Thomas	continued by
		Mr. F. T. Hughes

and Mr. A. J. Baker of counsel for the defendant in Error, and concluded by Mr. J. O. Broadhead for the plaintiff in Error.

Olof Johanson, Alias
Ole Johnson.
Vs. Appellant
Stephan Stephanson.

The argument of this cause was commenced by Mr. S Corning Judd, of counsel for Appellant.

Proclamation being made the Court is adjourned until Monday next at Twelve o'clock.

Monday March 26th 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay Esquire. Marshal.
Daniel Wesley Middleton, Clerk.

On motion first made to the Court in this behalf by Mr. C. J. Walker, it is ordered that Henry H. Swan, Esquire of Detroit, State of Michigan be admitted to practise as an attorney and counsellor of this Court, and hereon sworn accordingly

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The People of the State of New York
Ex rel the Galatin National Bank,
(Frederick D. Tappin et al.
965 vs. Plffs in Error
The Commissioners of Taxes
and Assessments in the City
of New York.

In Error
to the
Court of
Appeals
of the
State of
New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by Counsel.- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby affirmed with Costs.

per Mr. Justice Hunt.

The Township of Burlington
in the County of Coffey.
680 vs. Plff in Error.
Alfred H. Beasley.

In Error to
the Circuit
Court of the
United States
for the

District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Kansas.

Dissenting, Mr. Justice Field. | per Mr. Justice Hunt.

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58 The Town of South Ottawa vs. Noah C. Perkins. Pltff in Error

And

59 The Board of Supervisors of Kendall County vs. Augustus D. Post. Pltff in Error

Ordered by the Court that the judgments of affirmance entered in these cases on the 27th day of November A.D. 1876 be, and the same are hereby, rescinded and annulled.

per Mr. Justice Hunt

The Town of South Ottawa. | In Error to the
58 vs. Pltff in Error. | Circuit Court
Noah C. Perkins. | of the United
| States for the
Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with directions to overrule the demurrer to the plea of the defendants below and to award a venire facias de novo, or to allow the parties to amend their pleadings, as they shall be advised, in order to refer the trial of the issue to the Court instead of the jury. And it is further ordered that this judg

ment be entered nunc pro tunc as of the first day of March instant.

Dissenting per Mr. Justice Bradley

Mr. Chief Justice Waite
" Justice Clifford
" " Swayne
" " Strong

The Board of Supervisors of Kendall County. In Error to the Circuit Court of the United States for the Northern District of Illinois.

59 vs. Pfff in Error.

Augustus T. Post.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and

the same is hereby remanded to the said Circuit Court with directions to overrule the demurrer to the plea of the defendants below and to award a venire facias de novo, or to allow the parties to amend their pleading as they shall be advised, in order to refer the trial of the issue to the Court instead of the jury.

And it is further ordered that this judgment be entered nunc pro tunc as of the first day of March instant.

Dissenting. per Mr. Justice Bradley

Mr. Chief Justice Waite
" Justice Clifford
" " Swayne
" " Strong

D. Freeman Poole
A. Jackson Buckman
and J. E. Leach
187 vs Appellants
Daniel Tyler, Claimant
of the surplus & remnants of
the Ship "Edith"

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Strong

Brook Marshall, jr.		In Error to the
183 vs.	Pltff in Error	Supreme Court
The Chesapeake and Ohio		of the District
Canal Company.		of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby affirmed with costs. per Mr. Justice Miller

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Nicholas W. Carey, use &c
15 Craig &c. vs. Plaintiffs
Count Goffredi Galli.

This cause came on to be heard on the demurrer and pleas in abatement, and on the plaintiffs demurrer to the defendants pleas, and was argued by counsel. On consideration whereof it is now here ordered by the Court that the plaintiffs demurrer be, and the same is hereby sustained.

per Mr. Justice Strong.

Thomas Collins
186 vs. Plff in Error
William L. Gilbert
(No. King Cas.

In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof it is now

here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

Per Mr Justice Clifford.

The United States, Appellants
vs. Appeal from the Court of Claims.
119 John Young, trustee in Bankruptcy of Alexander Collier.

This cause came on to be heard on the transcript of the record from the Court of Claims, and on the motion filed by Mr. Assistant Attorney General Smith to dismiss which was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that this appeal be and the same is hereby dismissed.

Per Mr Chief Justice Waite

Nathan Greenwald, Benjamin Lobe, W. W. Sears, William A. Brown, B. Walker & Reuben S. Jones. vs. Pltffs in Error. Penelope Bond, as administratrix of Lewis F. Bond, deceased.	In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Tennessee.

Per Mr. Chief Justice Waite.

Ex parte: In the matter of
W. J. Smith & Fielding Hurst,
18 Orig. Petitioners.

On consideration of the petition for a writ of mandamus in this cause, it is now here ordered by the Court that the said petition be and the same is hereby denied.

Per Mr. Chief Justice Waite.

Francis E. Hinkley Receiver
417 vs. Appellant
The Gilman, Clinton and Springfield R.R. Co.

On consideration of the motion to dismiss this cause, and of the argument of counsel thereupon had, as well in support of, as against the same; it is now here ordered by the Court that said motion be, and the same is hereby denied.

Per Mr. Chief Justice Waite.

Ex parte: In the matter of
Elisha F. Loring
16 Orig. Petitioner.

On consideration of the petition for a writ of

Mandamus in this cause it is now here ordered by the Court that said petition be and the same is hereby denied.

Per Mr. Chief Justice Waite.

Mary A. Pearson et al.
791 vs. Pffs in Error
Josephine Jane Yewdall

On motion.

It having been suggested that the City of Philadelphia was a party to this cause in the Court below, and adverse in interest to the present Plaintiffs in Error, leave is granted to the defendant in Error to move to dismiss because the City is not named in the writ and for the City to appear by counsel to be heard in support of the motion. Leave is not granted to renew the motion to affirm under Rule 6

Per Mr. Chief Justice Waite.

Ex parte: In the matter of James T. Easton, and James McMahon		Petition for a writ of Prohibition to the District Court of the
19 Orig.	Petitioners	

United States for the Eastern District of New York, sitting as a Court of Admiralty.

On motion of the petitioner a rule is granted upon the Judge of the District Court for the Eastern District of New York, to show cause to this Court by April 13. 1877. if any he has, why the writ of prohibition asked for in this petition should not be granted.
Let a copy of this rule and of the petition be served upon the Judge on or before the 31st day of this month.

Mr. Chief Justice Waite.

The State of New Jersey		
17 Orig.	vs. Complainant	On Bill
The State of Delaware		in Equity.
	Defendant.	

This cause came on to be heard on a motion for a preliminary injunction, made on behalf of the complainant, and being argued by Mr. Frelinghuysen, and Mr. Vanatta for the complainant and by Mr. Bayard for the defendant, and it appearing by the allegations of the bill duly verified by affidavits and other evidence of public character, that for a long period of time, to wit more than seventy years last past, the State of New Jersey has claimed and exercised jurisdiction of the Easterly portion of the river Delaware to the middle of the same, where the said river runs between the said State and the State of Delaware, and that (except as hereinafter stated) the citizens and inhabitants of New Jersey have during said period exercised the right of freely fishing in said river, in common with the citizens and inhabitants of said State of Delaware, but that recently, to wit: from and since the year 1872, the State of Delaware has claimed exclusive jurisdiction of the whole of

said river from the Southerly line of Pennsylvania southwardly to the distance of twelve miles below the town of Newcastle, and has interfered with and claims to control the right of fishing thereon, and has exacted fines and other impositions from said citizens and inhabitants of New Jersey for fishing as aforesaid unless they would take out licenses for that purpose from the authorities of the State of Delaware, and pay certain fees and exactions for said licenses; and has caused to be arrested certain of said citizens and inhabitants for refusing to comply with such requirements; and that the State of Delaware still threatens and intends to enforce its said claims which are resisted by the State of New Jersey; and that the public peace between the citizens and inhabitants of said States is liable to be endangered and interrupted by reason of the premises; and this suit being brought for the purpose of determining the true boundary line between the said States and settling the controversies

between them in reference to the matter aforesaid; therefore—

It is ordered by the Court that an injunction do issue to enjoin and restrain the said State of Delaware, its officers, agents and servants, that they and each and every of them, do henceforth desist and refrain from imposing any tax, assessment or imposition whatsoever, by way of license fee or otherwise upon any citizen or resident of the State of New Jersey and from requiring them, or any of them, to take a license from or under the State of Delaware for right or authority to fish in the river Delaware, as they have heretofore been accustomed to do, before the said interference; and from arresting, imprisoning, trying, fining or in any manner punishing, or seizing, holding or selling any property of any citizen or resident of New Jersey for fishing in said river as aforesaid, until this Court shall make other order to the contrary. Per Mr. Chief Justice Waite.

993	Harvey Terry vs. Thos. W. Cockery.	Ordered by the Court that this cause be advanced to be argued with No. 266

and to be heard as one cause.

996	Wm. H. Clark vs. C. H. Hancock et al.	On motion of Mr. P. Phillips leave is hereby granted the Clerk to issue

the mandate in this cause.

583	The Town of East Lincoln vs. Charles Davenport	On motion of Mr. Geo. W. Paul of counsel for the defendant

in Error, it is ordered that the plaintiff in Error show cause forthwith why the order of continuance entered in this cause on the second day of March instant should not be stricken out and the cause submitted to the consideration of the Court, pursuant to the stipulation of counsel on file.

John G. Bigelow,
1003 vs. Pff in Error.
Emma E. Fiske

Mr. C. P. Barnett filed motion to vacate the supersedeas in this cause. Ordered that said motion be postponed until Monday next the 2nd of April.

Brook Marshall Sr & Jr.
1811 vs. Appellants
Alfred Richards, et al

On motion of Mr. Thomas Wilson leave is hereby granted the Clerk to issue the mandate in this cause.

Ex parte: Thomas Kelso et al
20 Original. Petitioners

Mr. R. S. Ashhurst of Counsel for the petitioners, by leave, filed and submitted to the consideration of the Court petition for a writ of Mandamus or for a Rule to show cause in this cause: Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time

to consider.

Socrates Huff
661 vs. Pfff in Errot.
Ch. Doyle et al.

The motion to recall the mandate issued in this cause was submitted to the consideration of the Court by Mr. Chester in support of the same.

Nicholas M. Casey, ex'r &c.
15 Orig.l vs. Plaintiff
Count Goffredi Galli

On motion of Mr. J. D. McPherson of counsel, leave is hereby granted the defendant to plead over in fourteen days, in this cause.

Olaf Johanson, Alias
Ole Johnson.
194 vs. Appellant
Stephan Stephanson.

(Submitted.) The argument of this cause was concluded by Mr. H. G. Miller of Counsel for the appellee.

W. H. Corcoran
193 vs. Appellant
The Chesapeake and Ohio
Canal Company et al.

The argument of this cause was commenced by Mr. J. D. McPherson and continued by Mr. Joseph Bryan of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday March 27th 1877.

Pursuant to adjournment the Court met today at the Capitol

Present

The Honorable	Morrison R. Waite	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. N. Slaughter, it is ordered that Hugh J. Campbell Esquire, of New Orleans, State of Louisiana, and Charles M. Reed, Esquire of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

Ex parte: Thomas Kelso et al. | On consideration
No 6 Sig! Petitioners. | of the petition
for a writ of
Mandamus in this cause it is now here
ordered by the Court that said petition
be and the same is hereby denied.

W. W. Corcoran |
193 vs. Appellant | The argument of this
The Chesapeake & Ohio | cause was continued
Canal Company. | by Mr. John P. Poe
and Mr. Bernard
Carter of counsel
for the appellees and concluded by Mr.
Conway Robinson of counsel for the appellant.

Theodore M. Davis, use &c |
192 vs. Plff in Error | This cause
H. H. Co. & J. G. Brown | was argued
by Mr. Henry
E. Miller of
counsel for the plaintiff in Error and submitted
on printed arguments by Mr. W. P. Smith of
counsel for the defendants in Error.

Proclamation being made the Court is adjourned
until tomorrow at twelve o'clock

Wednesday March 28th 1877

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable	Morrison R. Waite,	Chief Justice.
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices
	William Strong	
	Joseph P. Bradley	
	Ward Hunt	

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

573

The Steam Propeller Titan
vs
Lewis Lasker et al. Claimants.
&
John Glover. Claimants.
vs
Appellants.
Alfred K. Spear, Joseph
Thorndike, Cornelius
Hanrahan, Charles Snow,
Isaac Allen & Lydia C. Mills.

Appeal from the Circuit Courts of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the stipulation of Counsel on file and motion of Mr. E. W. Stoughton in behalf of Counsel it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed, each party paying their own costs.

per Mr. Chief Justice Waite.

Henry A. Hitt
vs.
Wm F. Thompson

195

Off in Error

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. B. Brown of Counsel for the plaintiff in Error and by Mr. C. A. Kent of Counsel for the defendant in Error

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The Illinois Central R. R. Co.
110. vs. Appellants
Samuel H. Durrill.

The Chicago & Alton R. R. Co.
111 vs. Appellant
Samuel H. Durrill

The C. St. L. & P. R. R. Co.
112 vs. Appellant
Samuel H. Durrill

The Michigan Southern & Northern
Indiana R. R. Co
113 vs. Appellant
Samuel H. Durrill
(and)
The Pittsburg, Fort Wayne & C. R. R. Co
114 vs. Appellant.
Samuel H. Durrill.

On the application of counsel Ordered that three hours be allowed the appellee and five hours to the appellants in the argument of these causes

The Illinois Central R.R. Co.
1110. vs. Appellants
Samuel H. Terrill

The Chicago & Alton R.R. Co.
1111 vs. Appellants
Samuel H. Terrill.

The C. B. & Q. R.R. Co.
1112 vs. Appellants
Samuel H. Terrill

The Michigan Southern and
Northern Indiana R.R. Co.
1113 vs Appellant
Samuel H. Terrill
(Co)

The Pittsburg, Fort Wayne
and Chicago R.R. Co.
1114 vs. Appellant
Samuel H Terrill.

The argument of these cases was commenced by Mr. Georg Gifford and concluded by Mr. John B. Niles and Mr. Geo. Hoyne of counsel for the Appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday March 29th 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Sleeper, Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

James H. McCready.
625 vs. Pff in Error.
The Commonwealth of Virginia.

On motion of Mr. Robinson it is ordered that this cause be assigned for argument on Friday the 6th day of April.

The Berdan Fire Arms Manufacturing Company. Appellant.
1020 vs.
E. Remington & Sons.

Mr. George Gifford of counsel for the appellee having filed and read in open Court the following certificate, to wit:

I, Charles Mason, Clerk of the Circuit Court of the United States for the Northern District of New York, certify that in a suit in Equity prosecuted in said Court wherein The Berdan Fire Arms Manufacturing Company were complainants and E. Remington & Sons, defendants, a final decree was entered on the 14th day of June 1873, dismissing the Bill of Complaint, and that an appeal to the Supreme Court of the United States from said decree was duly sued out by the said complainants and allowed on the 31st day of March 1874.

In testimony whereof I have caused the seal of the said Circuit Court to be affixed at the City of Utica in

said District this 15th day of March A.D. 1877.

Chas Dixon.

Clerk.

and having stated that the said appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, now here moved the Court in pursuance of the 9th rule of this Court to have this appeal docketed and dismissed. On consideration whereof it is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Northern District of New York be, and the same is hereby docketed and dismissed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

The Illinois Central R. R. Co
1110 vs. Appellant
Samuel H. Gunnill.

The Chicago & Alton R. R. Co.
1111 vs. Appellant
Samuel H. Gunnill

The C. B. & Q. R. R. Co.
1112 vs. Appellant
Samuel H. Gunnill

The Michigan Southern & Northern Indiana R. R. Co.
1113 vs. Appellant
Samuel H. Gunnill
(and
The Pittsburg Fort Wayne & Chicago R. R. Co.
1114 vs. Appellant
Samuel H. Gunnill.

The argument of these cases was continued by Mr. E. M. Stoughton of counsel for the appellees and concluded by Mr. George Hayes of counsel for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday April 2d 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable	Morrison R. Waite	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices
	William Strong	
	Joseph P. Bradley	
	Ward Hunt	

John G. Nicolay, Esquire. Marshal.
Daniel Wesby Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Elliott P. Shepard, it is ordered that Henry Day, Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips it is ordered that Henry Renshaw, jr. Esquire of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. S. Hoxie, it is ordered that George F. Chester, Esquire, of Titusville, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips it is ordered that Green P. Poole, Esquire, of Memphis, State of Tennessee be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The County of Dallas in the State of Missouri
182. vs. Pltff in Error
John W. McKenzie

In Error to the Circuit Court of the United States for the Western District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to enter judgment upon the demurrer, for the defendant below unless the plaintiff below shall withdraw his demurrer and proceed to trial within such time and upon such terms as the Circuit Court may direct

per Mr. Justice Hunt.

George M. Bowen 1511 vs. Appellant Nelson Chas. Eliza Jarrad Perry, and Paul R. G. Perry, her husband (& Williams J.) Chas.	Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, - And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Bradley.

Appeal from S. C. D. C. continued

George Seitz and Albany E. Seitz.
vs. Appellants
John F. Mitchell

Appeal from the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Gray.

Silas W. Wait
vs. Plff in Error.
George L. Dewey, Treasurer of the Town of Brattleboro'

In Error to the Supreme Court of the State of Vermont.

This cause came on to be heard on the transcript of the record from the Supreme

Court of the State of Vermont, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this Cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Vermont.

Per Mr. Justice Strong.

The National Bank of the Commonwealth of New York City.	In Error to the Circuit Court
905. vs. Plff in Error	of the United
The Mechanics National	States for the
Bank of Trenton, New Jersey.	Southern District
	of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel On consideration whereof it is now here ordered and

adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of New York

per Mr. Justice Swayne

Benjamin Beall and Reuben F. Baker	Appeal from the Supreme
185 vs. Appellants	Court of the
Elias E. White, Orestes P. Dodge & Samuel S. Phillips dcl.	District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court with directions to enter a decree for the appellants, adjudging

that the liens of the landlord have priority over the deeds of trust.

per Mr. Justice Clifford.

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661 Socrates Huff vs. Pfff in Error C. V. Doyle, et al. | On consideration of the motion to recall the Mandate in

this cause it is now here ordered by the Court that said motion be and the same is hereby denied.

per C.J. Chief Justice Waite.

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583 The Town of East Lincoln vs. Pfff in Error Charles Davenport | On consideration of the motion to strike out the order of

continuance entered in this cause on the 2d day of March last, it is now here ordered that the continuance heretofore entered herein is set aside and that the plaintiff in Error cause a printed argument to be filed in its behalf on or before April 30th or show cause why the stipulation for

submission made by its counsel should not be enforced.

per Mr. Chief Justice Waite.

Order

Ordered.- That the docket of original actions be called on the 23d. instant

Hilton Humes, Assignee &c		Mr. B.F. Butler
116. -vs.	Appellant	moved the
Narcissa Scruggs et al.		Court to re

verse and annul the decree of reversal entered in this cause on the 15th of January last and for leave to argue the case at the next term: Whereupon this Court, not being now here sufficiently advised of and concerning what order to make in the premises took time to consider.

Enos Lowe et al.		The amended motion
778 -vs.	Plffs in Error.	to dismiss or affirm
Jesse Williams		this cause was

submitted to the consideration of the Court on printed

argument by Mr. N. P. Steele in support of the same and by Mr. W. Blair in opposition thereto.

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536. Daniel Palmer Plff in Error vs. Joseph W. Lowe et al. | The plaintiff in Error has leave to amend his writ of Error in this cause by striking out the names of certain persons named therein as defendants in Error, and who are particularly described in his motion filed herein January 29, 1877. A new bond may be filed to correspond with the writ as amended.

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130 Wm. Hunt & Wm. Sam. Scobal, Appellants vs. Lucinda James, Admx &c. | On motion of Mr. Evans leave is hereby granted the Clerk to issue the mandate in this cause.

Ex parte. In the matter of the Philadelphia Steam Propeller Co. & Nathaniel Briggs, Petitioners

21 Original.

Petition for a writ of Prohibition to the District Court of the United States for the Eastern District of New York, sitting as a Court of Admiralty

On motion of the petitioner a rule is granted upon the Judge of the District Court for the Eastern District of New York to show cause to this Court by April 16th 1877 if any he has why the writ of Prohibition asked for in this petition should not be granted.

Per The Chief Justice Hall

John G. Bigelow vs. Peff in Error Emma E. Fish.

1003

The motion to consider the supersedeas in this cause was submitted to the consideration of the court by Mr. O. D. Barrett in support of the same and by Gen. F. P. B. Sands in opposition thereto,

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193 The Armstrong Heater Manufacturing Company vs. The Stilwell & Bierce Manufacturing Company. Appellant.

The motion to reinstate the cause upon the docket was submitted to the consideration of the Court by Mr. S. S. Merkle in support of the same and by Mr. M. S Hopkins in opposition thereto

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196 Amos Gould vs. Henry Day. Piff in Error

The argument of this cause was commenced by Mr. C. J. Walker of counsel for the Plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday April 3d 1877

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite	Chief Justice.
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices
	William Strong	
	Joseph P. Bradley	
	Ward Hunt,	

John G. Nicolay, Esquire, Marshal
Daniel Wolley Middleton, Clerk.

On motion first made to the Court in this behalf by Mr. C. H. Watson, it is ordered that E. A. Mott, Esquire of Chicago, State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The State of Texas
2. Orig. v. Complainant
Geo. P. Russell, Exor of
Geo. Peabody, decd et al.

On motion of Mr. Henry Gray, on behalf of Mr. C. Gray leave is hereby

granted him to file motion to dismiss this cause.

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196 Amos Gould vs. Plff in Error. Henry Day.

The argument of this cause was continued by Mr. Henry Day the Plff in Error in this cause and concluded by Mr. C. J. Walker of counsel for the plaintiff in Error.

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197 John B Crim vs. Appellant James M. Handley et al

The argument of this cause was commenced by Mr. B. F. Lyon of counsel for the appellant, continued by Mr. W. H. Phillips and Mr. P. Phillips of counsel for the appellees and concluded by Mr. Lyon for the appellant

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198 Lucius C. Chase vs. Appellant C. W. Sabin et al.

This cause was argued by Mr. Thomas Watson jr. of counsel for the appellant.

Henry J. Stephens, Assignee &c.
vs. Appellant,
Nathan Appleton & Franklin
N. Story jr.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcripts of the record from the Circuit Court of the United States for the District of Massachusetts, and it appearing to the Court that the matters in controversy in this cause have been agreed and settled it is now here ordered adjudged and decreed by this Court that this appeal be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite

Charles W. Slack, Collector
vs. Petition Error
The Metropolitan R. R. Co.

This cause was submitted to the consideration of the Court, on the record and printed argument by Mr. Assistant Attorney General Smith, of counsel for the plaintiff in Error.

and by Mr. W. A. Field for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday April 11. 1877

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable	Thomson B. Waite	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. H. Watson, it is ordered that H. L. Emmons, Jr. Esquire of Baltimore, State of Maryland be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court, in this behalf by Mr. Wm G. Strawbridge, it

is ordered that Henry Woodruff Esquire of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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The Electric Match Co
James Long et al.
165 vs. Plffs in Error
The United States.

On motion of Mr. Assistant Attorney General Smith it is ordered that leave be granted the Clerk to issue the mandate in this cause.

Otis Clapp, Collector &c.
201 vs. Plff in Error
N. P. Mason et al.

This cause was argued by Mr. Assistant Attorney General Smith of counsel for the plaintiff in Error, and submitted on printed argument by Mr. George Putnam jr. of Counsel for the defendant in Error,

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Thomas G. Tate et al.
202 vs. Appellants
M. O. H. Norton et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs.

Garland and Pike of counsel for the appellants and by Pike and Johnson for the appellees

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Standish P. Howell et al.
203 vs. Appellants.
Oliver E. Moore.

This cause was argued by the Assistant Attorney General Smith and Mr. John S. Blair of counsel for the appellants and by Mr. Wm C. Brawbridge on the part of the appellee

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E. G. Mackay et al
204 vs. Appellants
Abraham & Julius Sands.

This cause was argued by Mr. P. B. Merrick of counsel for the defendant in Error and submitted on printed argument by Messrs W. F. & S. W. Saunders of counsel for the plaintiffs in Error.

Henry N. Howell et al.
205 vs. Appellants
Rufus Y. McAden et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. S. Merriman of counsel for the appellants and

by Mr. H. & H. Smith for the appellee.

Henry Fuller	This cause was sub-
206. vs. Pff in Error	mitted to the consider-
Wm H. Stone, et al.	ation of the Court

on the record and printed arguments by Mr. A. C. Story of counsel for the plaintiff in Error and by Mr. W. Fessenden for the defendants in Error.

Willis Gaylord	In Error to the
209 vs. Pff in Error	Circuit Court of
Merritt Clark.	the United States

for the Southern

District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Henry Stoodruff of counsel for the plaintiff in Error it is now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed with

Cook

per Mr. Chief Justice Waite

Ann Davis . This cause was argued
208. vs. Piff in Error . by Mr. J. R. Tucker of
Ann Crouch. . counsel for the plaintiff
in Error and by Mr
C. Robinson for the defendant in Error.

Proclamation being made the Court is adjourned
until tomorrow at twelve o'clock.

Thursday April 5. 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable	Morrison R. Waite	Chief Justice
	Nathan Clifford	Associate Justices
	Noah H. Swayne	
	Samuel F. Miller	
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay, Esquire Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

The National Bank of the Commonwealth of New York City. Plff in Error
vs
The Mechanics National Bank of Trenton, New Jersey.

On motion of Mr. Solicitor General Phillips leave is hereby granted the Clerk to issue the Mandate in this cause.

Joshua Merrill
vs. Appellant
David M. Yeomans, et al

The argument of this cause was commenced by Mr. Charles M. Reed of counsel for the appellant, continued by Mr. Carter Keene of counsel for the appellees, and concluded by Mr. Chauncey Smith for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday April 6th 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable	Morrison R. Waite	Chief Justice.
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices.
	William Strong	
	Joseph P. Bradley	
	Ward Hunt,	

John G. Nicolay, Esquire, Marshal.
Daniel Delaney Esquire Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by M. Thompson Esquire, it is ordered that John C. McKeighan Esquire of St. Louis State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by P. T. Daniel Esquire it is ordered

that Robert Auld, Esquire of Richmond State of Virginia, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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Angelina Amory
42 vs. Appellant
Samuel B. Amory et al.

On motion of Mr. Ross leave is hereby granted the Clerk to issue the mandate in this cause

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James M. McCready
993 vs. Pff in Error
The Commonwealth of Virginia.

Ordered by the Court that this cause abide the decision in 625 (as per stipulation of counsel on file.

James M. McCready
625 vs. Pff in Error
The Commonwealth of Virginia.

This cause was argued by Mr. Robert Auld of counsel for the plaintiff in Error and by Mr. R. T. Daniel for the defendant in Error.

The Chesapeake & Ohio R.R. Co.
655 vs. Plff in Error.
The Commonwealth of Virginia

656 Same vs. Same.
657 Same vs. Same.
658 Same vs. Same.

On motion of Mr. Robertson and consent of Mr. Daniel it is ordered that these cases be assigned for argument on Wednesday, the 18th instant.

Joseph E. Brown et al.
210 vs. Plff in Error.
John Cator et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs Mercer & Dibrell of Counsel for the defendants in Error. No counsel appearing for the plaintiffs in Error.

John Robertson et al
213 vs. Appellants.
Eli H. Blake.
(and
Eli M. Blake
219 vs. Appellants
John Robertson et al.

(Substituted for No. 211.)
The argument of this cause was commenced by Mr. M. G. Blake, of

Counsel for the appellant in sup. the complainant below.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday April 9th 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable	Morrison R. Waite.	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay. Esquire. Marshal.
Daniel Kesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. Penn Clarke it is ordered that J. W. Brayton, Esquire, of the State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. F. Butler it is ordered

that James F. Pickering, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Case, It is ordered that Wellesley H. Jage, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

William H. Corcoran
vs. Appellant.
The Chesapeake and Ohio Canal Company.

193

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel.- On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and

the same is hereby affirmed with costs.
Dissenting. Mr. Justice Miller.
Mr. Justice Clifford.

George Eyster, Assistant Treasurer of the United States at Philadelphia. — Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania
988 vs. Appellant.
The Centennial Board of Finance, Joseph Patterson, Henry Lewis, John Gill, The National State Bank of Camden, The International Exhibition Company, & the State of New Jersey.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be, and

the cause is hereby remanded to the said Circuit Court with directions to enter a decree directing the payment of the sum of One Million five hundred thousand dollars (1500000) into the Treasury of the United States by the Continental Board of Finance before any division of the remaining assets of that corporation is made among the stockholders.

Dissenting | per Mr. Chief Justice Waite
Mr. Justice Strong.

Olof Johanson, Alias
Ole Johnson,
194 vs. Appellant.
Stephan Stephanson

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit

Court in this cause be and the same is hereby affirmed with cost.

Per Mr. Chief Justice Waite.

Lewis C. Chase
198 vs. Appellant.
Lewis D. Salin and
Augustus Page.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with cost.

per Mr. Chief Justice Waite.

Charles L. Scott, Collector
of Internal Revenue
200 vs. Plff in Error
The Metropolitan R. R. Co.

In Error to the Circuit Court of the United

States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel.- On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter judgment in favor of the defendants below.

Per Mr. Chief Justice Waite

Standish F. Hansell, Barnet Hansell, George F. Hansell, & Henry K. Hansell.

vs. Appellants.

Oliver E. Woods.

Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

203

This cause came on to be heard on the transcripts of the record from the Circuit

Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Pennsylvania.

Per Mr. Chief Justice Waite.

Irving Fuller
Pltf in Error
vs.
William H. Stow and
Frank J. Pennington

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the

judgment of the said Circuit Court be and the same is hereby affirmed with costs and five hundred and fifty dollars damages in addition to interest from the date of the judgment below, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

Per Mr. Chief Justice Waite.

Joseph E. Maxwell & William E. Maxwell, Copartners under the name & Style of Maxwell, Wheeler & Co. Plff's in Error

No. 10. vs.

John Eaton & Edward Cole, Copartners doing business under the name and Style of Eaton & Cole.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration

whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgment bear in the Courts of the State of Illinois.

Per Mr. Chief Justice Waite.

William Humes, Assignee &c
Appellant
vs.
Narcissa Scruggs et al.

Motion for re-hearing.

The only ground urged for a rehearing in this case which we can entertain is that which is based upon the failure of counsel, regularly retained to appear and present the appeal on behalf of the appellee. The only proof upon that point is contained in the affidavit of Benjamin F. Scruggs, to the effect that his mother the appellee, did retain L. P. Walker of Huntsville for that purpose. A rehearing ought not to be granted for such cause, except upon a showing in addition

to the retainer, of actual neglect of duty by counsel, or some accident or mistake which could not have been avoided by the exercise of reasonable diligence and which prevented counsel from appearing.

Leave is granted the appellee to present further proof in support of her motion if she shall be able to do so.

Per Mr. Chief Justice Waite

John G. Bigelow
1043 vs. Pet. in Err.
Emma E. Fisk.

On consideration of the motion to vacate the supersedeas in this cause it is now here ordered by the Court that said motion be and the same is hereby denied.

Per Mr. Chief Justice Waite.

The Armstrong Heater Manufacturing Company.
893. vs Appellant
The Stilwell & Bierce Manufacturing Company.

On consideration of the motion to recall the order docketing this cause it is now here ordered

by the Court that said motion be and the same is hereby denied.

Per Mr. Chief Justice Waite.

William Glenny
280 vs. Appellant
Solomon Youngdow et al.

Mr. Shellabarger in behalf of the above filed motion to set aside the decree of dismissal entered in this cause on the 16th day of January last.

The American Bridge Co.
808 vs. Appellant
Max Heidelbach et al.

On motion of Mr. J. D. McPherson in behalf of Mr. Wallace Pratt, leave is hereby granted the Clerk to issue the mandate in this cause.

John L. Phipps et al
100 vs. Appellants.
John Sedgwick, Assignee

and

Sarah Pier et al Exrs &c.
101 vs. Appellants
John Sedgwick, Assignee.

On motion of Mr. Bangs leave is hereby granted the Clerk to issue the mandate in these cases.

John Robertson et al.
213 vs. Appellants
Eli H. Blake,
and
Eli H. Blake
213 vs Appellant
John Robertson et al.

(Substituted for No. 211.
The argument of the appeal and cross appeal in this cause was continued by Mr. H. J. Blake, of counsel for the appellee in No 213 and appellant in No. 219 and by Mr. W. C. Valentine for the appellant in No. 213 and appellee in No. 219, and concluded by Mr. Blake.

The First National Bank of Washington,
211 vs. Pltff in Error
A. F. Whitman, Admr &c.

plaintiff in Error.

The argument of this cause was commenced by Mr. F. Miller for

Proclamation being made the Court is adjourned until Tomorrow at Twelve o'clock.

Tuesday April 10. 1877.

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable	Morrison R. Waite.	Chief Justice.
	Nathan Clifford	Associate Justices.
	Noah H. Swayne	
	Samuel F. Miller.	
	Stephen J. Field	
	William Strong	
	Joseph P. Bradley.	
	Ward Hunt.	

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

On motion first made to the Court in this behalf by Mr. J. H. Ashton, it is ordered that Isaac N. Alexander, of East West State of Ohio, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Ashton it is ordered that C. B. Maynard, Esquire of Detroit State of Michigan, be admitted to practice

as an attorney and Counsellor of this Court and he was sworn accordingly

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The First National Bank of Washington
211 vs. Plff in Error
A. F. Whiteman, Admr. &c.

The argument of this cause was continued by Mr. F. Miller of counsel for the appellant by Mr J. Daniel and Mr. J. Shellabarger of counsel for the appellee, and concluded by Mr. A. G. Riddle for the appellant

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Nicholas M. Carey, Recvr
15 Orig. vs. Plaintiff
Count Coffordi Galli.

On motion of Mr. Coburn leave is hereby granted him to file demurrer to pleas in bar in this cause

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Horace S. Johnson
312 vs. Appellant
Charles W. Hannon.

The argument of this cause was commenced by Mr. A. G. Riddle of counsel for the appellant. No further argument desired by the Court

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211 William Annan et al Appellants vs. The Ship "Star of Peace" | Ordered by the Court that this cause be and the same is hereby continued to the next term of this Court.

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315 Richard Gregg et al Plff in Error vs. C.W. Upton, Assignee &c. | This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. L. H. Boutell of counsel for the defendant in Error.

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316 Luther H. Pike et al Appellants vs. John Wassell. | The argument of this cause was commenced by M. Luther H. Pike of counsel for the appellants.

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217 Andrew J. Davis Appellant. vs. Henry Alvord. | This cause was submitted to the consideration of the Court, on the

record, and printed arguments by Mr. P. F. Merrick and Mr. M. F. Morris of Counsel for the appellant, and by Mr. J. H. Ashton and Mr. N. Wilson of Counsel for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday April 11th 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay, Esquire. Marshal

Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

Julius H. Pike et al.
216 vs. Appellant.
John Wassell.

The argument of this cause was concluded by Mr. L. H.

Pike of counsel for the appellants, and submitted on printed arguments by Mr. T. M. Randolph of counsel for the appellee.

	John Tracy jr	In Error to the Supreme
218	vs. Pltff in Error.	Court of the State of
	Samuel Corse	New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the record and proceedings upon a writ of error from the Court of Appeals of the State of Newyork, and the plaintiff in Error having been three times solemnly called called by the Marshall to come into court and prosecute his writ of Error and failing to appear, it is thereupon in pursuance of the 16th rule of this Court, and on the motion of Mr. Dennis McMahon of Counsel for the defendant in Error, now here entered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed with costs, And that this cause be and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice

per Mr. Chief Justice Waite.

Eli Allore
120 vs. Appellant
Marshall Jewell

This cause was argued by Mr. Albert Russell of counsel for the appellant and by Mr A. B. Maynard of counsel for the appellee

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Joseph Sibbern, Collr &c.
121 vs. Pltff in Error
The Equitable Insurance Co.

The argument of this cause was commenced by Mr. Assistant Attorney General Smith of counsel for the pltff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday April 12. 1877.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Morrison R. Waite	Chief Justice
Nathan Clifford	
Noah H. Swayne	
Samuel F. Miller	Associate
Stephen J. Field	Justices.
William Strong	
Joseph P. Bradley	
Ward Hunt.	

John C. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. M. Johnson it is ordered that J. D. Brannan, Esquire of Cincinnati State of Ohio, be admitted to practice as an attorney and counsellor of this Court and has was sworn accordingly.

Charles E. Paige.
223 vs. Pff in Error.
John A. Loring,
Assignee of the Estate of
Charles E. Paige jr a bankrupt.

In Error to the
Circuit Court of
the United States
for the District of
Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the stipulation of counsel for the respective parties on file and motion of Mr. C. Brown of counsel for the defendant in Error, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Chief Justice Waite.

William H. Cammeyer et al
111 vs. Appellants
John Newton et al.

On motion
of Mr. Assistant
Attorney General
Smith, leave

is hereby granted the Clerk to issue the mandate in this cause.

Joseph Selden, Collector &c. | The argument of
221. vs. Plffs in Error | this cause was
The Equitable Trust Company | continued by
Mr. Assistant
Attorney General Smith of counsel for the plaintiff in Error by Mr. A. Brandegee and Mr J. Halsey of counsel for the defendant in Error and concluded by Mr. Smith for the plaintiff in Error.

William Mc. Montgomery | Appeal from
by his next friend Laura Gaines. | the Circuit
222. vs Appellant | Court of the
Paul A. Stafford, Clinton | United States
Hunter, and Joseph Stafford | for the
composing the firm of | Eastern Dis-
Stafford, Sylvester & Company. | trict of
Texas

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas and on the stipulation of counsel for the respective parties on file, and motion of Mr. J. H. Ashton of counsel for the appellee

it is now here ordered, adjudged and decreed by this Court, that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Chief Justice Waite.

William L. Montgomery by his next friend Laura Gaines. Appellant
333 vs.
Paul R. Strafford, Clinton Hamlin et al.

On motion of Mr. J. Hubley Ashton, leave is hereby granted the Clerk to issue the mandate in this cause.

Charles J. Brewer Plff in Error
334 vs.
John C. Butler et al.

On motion of Mr. J. G. Payne leave is hereby granted him to withdraw his appearance as Counsel for the plaintiff in Error in this cause.

Charles J. Brewer Plff in Error.
224 vs.
John C. Butler & Andrew Hoff Executors of Sophia E. Hallman, dec'd.

In Error to the Supreme Court of the District of Columbia

Thursday April 12th 1877. Continued.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and the plaintiff in Error having been three times solemnly called by the Marshal to come into Court and prosecute his writ of Error, and failing to appear it is thereupon in pursuance of the 16th rule of this Court, and on the motion of A. G. Riddle of Counsel for the defendant in Error, now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed with costs. And that this cause be and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

Benjamin Stark
225 vs. Appellant
Lewis M. Starr

Benjamin Stark
225 vs. Appellant
Lewis M. Starr
Filed

The argument of these cases was commenced by Mr. J. S. Black of Counsel for the appellant.

Benjamin Starke
227 vs. Appellant
Charles P. Bracewell et al.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Friday April 13. 1877.

Pursuant to adjournment the court met to day at the Capitol.

Present.

The Honorable	Morrison R. Waite,	Chief Justice.
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices
	William Strong	
	Joseph P. Bradley	
	Ward Hunt	

John G. Nicolay, Esquire Marshal
Daniel Kelly Middleton. Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon J. S. Black, it is ordered that J. S. Polk, Esquire of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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	Cornelius Storm et al	On motion of
223	vs. Pfff in Error.	Mr. Attorney
	The United States.	General Smith

leave is hereby granted the Clerk to issue the mandate in this cause.

	The West Wisconsin	On motion of Mr.
	Railway Company	Smith in behalf of
1871	Pff in Err.	counsel leave is
	T. J. Foley et al.	hereby granted

the Clerk to issue the mandate in this cause. (per Stipulation of counsel.)

	Benjamin Stark	The argument of
225	vs. Appellant	these cases was
	Lewis M. Starr	continued by Mr.
		Enoch H. Williams
	Benjamin Stark	of counsel for
226	vs. Appellant	the appellees and
	Lewis M. Starr &	concluded by Mr.
	Benjamin Stark	J. A. Howe of
227	vs. Appellant	counsel for the
	Charles F. Bowen et al.	Appellant.

Friday April 13th 1847- Continued

The Connecticut Mutual Life Insurance Company
125 vs. Error
Francisco Schaffer.

The argument of this cause was commenced by Mr. E. W. Johnson of counsel for the plaintiff in Error and concluded by Mr. J. J Brannan of counsel for the defendant in Error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday April 15th 1877

Pursuant to adjournment the Court met today at the Capitol.

Present,

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices
	William Strong	
	Joseph P. Bradley	
	Ward Hunt	

John F. Coyle, Esquire Marshal.
Daniel Henry Chamberlain, Clerk

Proclamation being made the Court is opened.

On the Writ of Certiorari and Writ of Error Record.

No. [illegible] Plff in Error
vs.
William P. Munson (Ex C. H. Parker.

In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

per Curiam Mr. Justice Field

The County of Scotland
vs. Pltff in Error
Joseph T. Thomas

In Error to the Circuit Court of the United States for the Eastern

190. District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in

this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

Dissenting. Mr. Justice Bradley. Mr. Justice Miller.

Mr. Justice Field did not sit in this cause and took no part in the decision.

Henry N. Muller. G. Vandenhors. vs E. & B. Daniels.

Appeal from the Circuit Court of the United States for the District of Iowa.

No 11 Appellants.

David Davis Frederick S. Winston, and Calvin J. Barnes Trustees &c

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed

by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Iowa.

Per Mr. Justice Strong

The United States
vs. Plffs in Error
Annie Fox, J. Fox,
George Fox, B. F.
Dietrows, D. Hayes
& J. H. Bummel.

In Error to the
Court of Appeals
of the State of
New York

This cause came on to be heard on the transcripts of the record from the Court of Appeals of the State of New York, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Court of Appeals in this cause be and the same is hereby affirmed.

Per Mr. Justice Field.

Charles G. Cromwell
vs. Pltff in Error.
The County of Lee

In Error to the Circuit Court of the United States for the

District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

Concurring — Mr. Justice Field.
Mr. Justice Clifford

Theodore M. Davis, Receiver of
The Ocean National Bank of New York.
191. vs. Pltff in Error.
Harvey H. Brown & James G. Burr.

In Error to the Circuit Court of the United States for the North-ern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.
Dissenting Mr. Justice Clifford. | per Mr. Justice Field

Nathan C. Russell
134. vs. Appellant
Isaac V. Place and
John W. Place.

Appeal from the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Dissenting Mr. Justice Clifford. | Per Mr. Justice Field.

Thomas G. Pate and M. S. Pate, his wife and Rayner Whitfield Gardine, his wife. vs Mortimer O. K. Norton, Richard Atkinson and A. L. Stuart

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

203 Appellants

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel-

On consideration whereof it is now here ordered adjudged and decreed that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Swayne

John B. Grimes
1877 vs. Appellant.
James M. Handley, Council
B. Hooker, Williams Peeples
and Wm H. Smith

Appeal from the Circuit Court of the United States for the Southern District of Georgia

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Clifford.

Edgar G. Bradley, Charles N. Broadwater, George Steele for Wallace Carroll. Plffs in Error,
vs.
Abraham Sands & Julius Sands.

In Error to the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs and that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to reverse the judgment of the District Court, and to direct that Court to proceed as law and justice may require in accordance with the opinion of this Court.

Per Mr. Chief Justice Waite.

Harvey W. Hill, impleaded with James Dempsey
195 vs Plaintiff in Error
William P. Thompson

In Error to the Circuit Court of the United States for the Eastern District of Michigan

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed for want of jurisdiction

per Mr. Chief Justice Waite

Ex parte: In the matter of
John R. Filippin. et al
22 Orig. Petitioners

On consideration of the petition for a writ of Mandamus in this cause, it is now here ordered by the Court that said petition be and the same is hereby denied

per Mr. Chief Justice Waite.

Enos Lowe and William M. Lowe, Plffs in Error, vs. Jesse Williams.	In Error to the Supreme Court of the State of Nebraska.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Nebraska, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Nebraska.

Per Mr. Chief Justice Waite.

Richard Gregg, and Thomas S. Dobbins, impleaded with Marshal P. Stone.

915-16. Aff'd in Error.

Clark M. Upton, Assignee in bankruptcy of the Great Western Insurance Company.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

per Mr. Chief Justice Waite.

The Chief Justice announced that "On account of the insufficiency of the

appropriation by Congress for printing records, it is apparent that we shall not be able to continue the hearing of causes at the present time later than the fifteenth or twentieth of May. We shall, therefore, close the term May 7. and thus enable the justices to give attention to their business upon the Circuit, which could not be done in many of the Districts if we continue late.

Our announcement will be made hereafter of the time when the call of the docket will be stopped.

William Glenny
vs. Appellant
Solomon Langdon et al.

The motion to set aside the decree of dismissal entered in this cause on the 15th day of January A. D. 1877 was called up by Mr. J. L. Price in favor of the same and statements made to the Court by him. And by Mr. S. Matthews in opposition thereto. Whereupon it is ordered that the Court will hear argument on the

motion dismissed.

	Henry Ives	On motion of Mr.
169	vs. Appellant	Rodney Mason
	Jacob A. Conover.	leave is hereby
		granted the Clerk

to issue the mandate in this cause.

	Erasmus D. Forest	In Error to the Supreme
175	vs. Pltff in Error	Court of Appeals of
	William A. McVeigh	the State of Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court, that, the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby affirmed with costs

per Mr. Chief Justice Waite.

The Board of County Commissioners of Leavenworth County. Plff in Error
113 vs
Robert S. Banned

On motion of Mr. Pike in behalf of counsel leave is hereby granted the Clerk to issue the mandate in this cause.

The Town of South Ottawa. Plff in Error
38 vs
Noah C. Perkins.
(and)
The Board of Supervisors of Kendall County Plff in Error
39 vs
Augustus S. Post.

On motion of Mr. Eldridge leave is hereby granted him to file petition to reform the judgments in these causes

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The State of Texas Complainant.
2 Orig. vs.
Geo. T. Russell Defendant.

On motion of Mr. Tracy to dismiss this cause is post poned until the 23d instant.

Thursday April 11th 1895 Continued.

The West Wisconsin Railway Company
165 vs. Pltff in Error
D. J. Foley et al

On motion of Mr. J. D. McPherson in behalf of counsel leave is hereby granted the Clerk to issue the mandate in this cause.

Samuel G. Reed
238 vs Appellant
The Merchants Mutual Insurance Company of Baltimore

On motion by the Court that this cause be and the same is hereby continued until the next term

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The New Jersey Mutual Life Insurance Company.
229 vs. Pltff in Error
Susan M. Barnes

The argument of this cause was commenced by Mr. D. McMahon of counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Thursday April 17th 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable	Morrison R. Waite	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay, Esquire. Marshal
Daniel Hasbey Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by the Assistant Attorney General Smith it is ordered that Alfred P. Chandler Esquire of Brookline, State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Newjersey Mutual Life Insurance Company
229 vs. Pff in Error
Ansel W. Baker.

The argument of this cause was continued by Mr. D. McMahon of Counsel for the plaintiff in Error. The Court declined to hear further arguments in the case

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William Glenny
250 vs. Appellant
Solomon Saugdon et al.

The motion to set aside the mandate of dismissal entered in this cause on the 16th of January last was argued by Mr. J. E. Mercer in support of the motion and by Mr. Stanley Matthews in opposition thereto.

Henry C. Hyde. Assignee
230 vs. Pff in Error.
Frank H. Woods et al.

This cause was argued by Mr. E. H. Merrill of Counsel for the plaintiff in Error. No counsel appearing for the defendant in Error.

Eliza Jane Hall Admx of
John G Benson, deceased.
97 vs Pltff in Error
Josephine De Louis

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. P H Brian of counsel for the plaintiff in Error and by Mr. E N C. Washington for the defendant in Error.

Francis Davey et al. Claims.
233 vs Appellants
Joseph Gorsuch

The argument of this cause was commenced by Mr. Arthur G. Brown of Counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday April 15 1874

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices.
	William Strong	
	Joseph P. Bradley	
	Ward Hunt	

John G. Nicolay, Esquire. Marshal.
Daniel Wesley Middleton. Clerk

Proclamation being made the Court is opened.

The Town of South Ottawa		Mr Justice Bradley
58 vs.	Plff in Error	announced
Noah C. Perkins		the order
(and)		of Court, anno
The Board of Supervisors of		uncing the
Kendall County		decision en
59 vs.	Plff in Error	tered in
Augustus S. Post		these Cases

---

913 The City of Memphis. Appellant
vs.
E. E. Brown.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. P. Phillips in support of the same and by Mr. U. J. E. Thomas in opposition thereto.

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232 Francis Dancy et al. Claimants Appellants
vs.
Joseph Good.

The argument of this cause was continued by Mr. Thomas N. Hall, and Mr. J. Merritt Steele, of counsel for the appellees, and concluded by Mr. F. M. Brund of counsel for the appellant.

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233 Alexander Kennedy et al Plffs in Error
vs.
The United States.

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Assistant Attorney General Smith of counsel for the defendant in Error. No counsel appearing for the plaintiffs in Error

Daniel Eddy et al
235 vs. Appellants
Paul Dennis

Paul Dennis
236 vs Appellant
Daniel Eddy et al

J. S. Slaughter et al
237 vs Plffs in Error
James C. Patton

Ordered by the Court that these cases be and the same are hereby continued until the next Term of this Court.

The Chesapeake & Ohio R. R. Co.
655 vs Plff in Error
The Commonwealth of Virginia

The Chesapeake & Ohio R. R. Co.
656 vs Plff in Error
The Commonwealth of Virginia

The Chesapeake & Ohio R. R. Co.
657 vs Plff in Error
The Commonwealth of Virginia

The argument of these Causes was commenced by Mr. J. Stevenson of counsel for the plaintiff in Error

Wednesday April 15th 1891 Continued

The Chesapeake & Ohio R.R. Co.

658 vs. Plff in Error

The Commonwealth of Virginia

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday April 19th 1877

Pursuant to adjournment the Court met today at the Capitol

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Ruggles, Assistant Clerk

Proclamation being made, Court is opened

On motion first made to the Court in this behalf by William Bond, Esquire, it is ordered that Walter Evans Esquire, of Louisville, State of Kentucky be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly

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Thursday April 19th 1877 continued

The Chesapeake & Ohio R.R. Co
655 vs. Plff in Error
The Commonwealth of Virginia.
656 Same - vs Same
657 Same vs Same
and
658 Same vs Same

Assigned. The argument of these cases was continued by Mr. R. T. Daniel, Attorney General of the State and by Mr. Wm. M. Evarts, of Counsel for the plaintiff in Error.

The Ætna Life Insurance Co
931 vs Plff in Error
David Franco et ux

This cause was argued by Mr. S. C. Perkins of Counsel for the plaintiff in Error and by Mr. A. H. Sharpless for the defendant in Error.

Richard D Sullivan Trustee
210 vs Appellant
The Portland & Kennebec R.R. Co

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Stanchfield of counsel for the appellant and by Mr Bradbury for the appellee.

The Milwaukee & St. Paul R.R. Co
238 vs. Piff in Error
Timothy Kellogg.

The argument of this cause was commenced by Mr.

John W. Cary of Counsel for the plaintiffs in Error

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday April 20th 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
William Strong
Stephen J. Field
Joseph P. Bradley
Ward Hunt,
} Associate Justices

John G. Nicolay, Esquire Marshal.
Daniel Ching Bradleton, Clerk

Proclamation being made the Court is opened.

The Milwaukee & St Paul R. R. Co. Plffin Error
vs
Timothy Kellogg
} 238th

The argument of this cause was continued by Mr. John H. Carey of counsel for the plaintiff in Error, by Mr. M. H. Beach, for the defendant in Error, and concluded by Mr. Carey for the

plaintiff in Error.

The United States

32 vs. Pltff in Error.

Antonio Joseph

(Clk

The United States

33 vs Pltff in Error

Juan Sanchez Coronado

in Error.

These causes were argued by the Solicitor General Phillips & counsel for the plaintiff in Error and by Mr. S. B. Elkins for the defendants

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A. D. Stewart Admr &c

239 vs Appellant

Ezekiel Salomon et al

Ordered by the Court that this cause be assigned for argument on

Monday the 30th inst.

Charles B. Wallace

241 vs Appellant

Francis B. Loomis.

On the application of Mr. John T. Morgan it is ordered that this cause be and the same is hereby continued until the next term of this Court

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W. H. Price		In Error to the
212 vs.	Writ in Error.	Supreme Court of
N. G. Shortridge		the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on the stipulation of counsel for the respective parties on file, it is now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite.

Thomas Wilson		This cause was submitted
213 vs.	Appellant	to the consideration
Alfred Hess		of the Court on the

record and printed arguments by Mr. Enoch Totten of counsel for the appellant, and by Mr. J. D. McPherson in person in behalf of the appellee.

George Sessions
244 vs. Pff in Error
Francis M. Johnson et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs. W. & G. Mallory, of counsel for the defendants in Error.

The Northwestern Fertilizing Co.
245 vs Pff in Error.
The Village of Hyde Park.

On motion of Mr. Blackburn of counsel for the plaintiffs in Error, it is now here ordered by the Court that this cause be and the same is hereby continued until the next term of this Court

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Daniel F. Gunn, Guardian of
W. M. Gunn, et al.
246 vs Appellant
Thomas C. Plant, Robert H.
Plant, & Clarence Nicholson, part
ners under the firm name & style
of T. C. Plant & Son.

Appeal from the Circuit Court of the United States for the Southern District of Georgia

This cause came on to be heard on the transcripts of the record from the Circuit Court of the United States for the Southern District of Georgia, and the appellant having been three times solemnly called by the Marshal to come into Court and prosecute his Appeal, and failing to appear, it is thereupon in pursuance of the 16th rule of this Court, and on the motion of D. R. H. H. Stovall, of Counsel for the Appellee, now here ordered adjudged and decreed by this Court that this Appeal be and the same is hereby dismissed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

Proclamation being made the Court is adjourned until Monday next at ten o'clock.

Monday April 23d 1849.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Roger B. Taney,	Chief Justice.
	Peter V. Daniel	Associate Justices
	John McKinley	
	Samuel Nelson	
	Stephen J. Field	
	William Sharp	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay Esquire. Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

The First National Bank of Washington.
vs. Pltff in Error
W. F. Whiteman, admr
d. b. n. of Samuel Kimber, decd

In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme

Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby reversed with costs, And that this cause be and the same is hereby remanded to the said Supreme Court with directions to award a new trial or for such further proceedings as the parties may be advised to take.

Per Mr. Justice Hunt.

Hiram Barney
958. vs. Plff in Error.
The City of Keokuk, The Keokuk & Des Moines Railway Co. The St Louis Keokuk & Northwestern Railway Co. The Keokuk Northern Line Packet Co. The Toledo, Peoria & Warsaw Railway Co. & The Toledo Wabash & Western Railway Co.

In Error to the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the District of Iowa and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Bradley.

Mr. Justice Miller being interested in the result of the decision did not sit in the case and took no part in the decision.

The Illinois Central Railroad Company. Appellant.
vs.
Samuel H. Turrill.

Appeal from the Circuit Court of the United States for the Northern

1410

District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by Counsel. On consideration whereof it is

now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Strong.

The Michigan Southern & Northern Indiana R. R. Co. Appellants.
vs.
Samuel H. Tunnell

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court

in this cause be, and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Strong.

The Chicago & Alton R.R.Co. Appellants,
vs.
Samuel H. Tyrrill.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate specified annum that similar decrees bear in the Courts of the State of Illinois

Dissenting Mr Justice Field Mr Justice Swayne. — per Mr Justice Strong

The Chicago Burlington & Quincy R. R. Co. Appellant vs Samuel H. Parrill. | Appeal from the Circuit Court of the United States for the Northern

District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Illinois. per Mr. Justice Strong.

Dissenting Mr. Justice Field. Mr. Justice Swayne.

The Pittsburg, Fort Wayne &
Chicago Railway Company
vs. Appellants
Samuel H. Gurnill.

Appeal from the
Circuit Court of
the United States
for the Northern
District of
Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar decrees bear in the Courts of the State of Illinois.

Per Mr Justice Strong

Dissenting
Mr Justice Field
" " Swayne.

Tuesday April 23d 1867 Continued.

James Gould
175 vs. Piffin in Error
Henry Gray.

In Error to the
Circuit Court
of the United States
for the Eastern
District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

Per Mr. Justice Field.

Joshua Merrill

209 vs. Appellant

David M. Yeomans &

Daniel J. Gross, as

D. M. Yeomans & Gross

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

Dissenting

Mr Justice Clifford.

Mr Justice Miller

John Robertson, Charles C. Martin and Austin H. Smith

43 vs. Appellants

Eli W. Blake.

and

Eli W. Blake.

219 vs. Appellant

John Robertson, Charles C. Martin and Austin H. Smith.

Appeals from the Circuit Court of the United States for the Eastern District of New York.

These causes came on to be heard on the transcripts of the record from the Circuit Court of the United States for the Eastern District of New York, and were argued by Counsel— On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in these causes be and the same is hereby affirmed— the costs of each appeal to be paid by the party taking such appeal.

per Mr. Justice Swayne

Alexander Kennedy jr
Alexander Kennedy Sr
(3 Cranch White Curk.
333 vs Plffs in Errors)
The United States.

In Error to the Circuit Court of the United States for the Eastern District of Tennessee.

These causes came on to be heard on the transcripts of the record from the Circuit Court of the United States for the Eastern District of Tennessee and were argued by counsel. On consideration whereof

it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed.

per Mr. Chief Justice Waite

The City of Memphis
913 vs. Appellant
T. E. Brown.

On consideration of the motion to dismiss this cause and of the argument of counsel thereupon had, as well in support of as against the same it is now here ordered by the Court that said motion be and the same is hereby denied

per Mr. Chief Justice Waite

William Glenny
380 vs. Appellant
Solomon Langdon et al.

On consideration of the motion to set aside the decree of dismissal entered in this cause on the 16th of January last and to reinstate the cause upon the docket and of the argument of counsel thereupon had, as well in support of as against the same it is now here

ordered by the Court, that said motion be and the same is hereby granted.

per Mr. Chief Justice Waite

The State of Florida
3. Orig. Complainant.
E. C. Anderson, jr, et al.

It appearing to the Court from the Report of D. W. Middleton the Register appointed by the Court, that he has in pursuance of the decree of this Court directing a distribution of the funds in his hands as such Register complied with said decree. It is now here ordered that said Report be and the same is hereby approved.

Order.

The Reporter having represented that, owing to the number of decisions at the term, it will be impracticable to print the reports in one volume: it is now therefore, ordered that he publish an additional volume in this year. pursuant to the Act of Congress of March 2d 1867.

Monday April 23d 1877 Continued

The State of Wisconsin
6 Orig. vs. Complainant.
The City of Duluth et al. | On pursuance of the Stipulation of Counsel on file in this Cause,

and motion of Mr. C. Fuller, it is now here ordered by the Court that the depositions taken in the case be opened and filed by the Clerk, and that if any depositions heretofore taken have not been returned and filed with the Clerk of this Court the same may be opened, filed and published as soon as returned.

And it is further ordered that the cause be continued and set down for hearing at the next term upon the pleadings and proofs.

The State, The Morris and
Essex Railroad Company.
598 vs. Pltff in Error
James S Yard, Deftt | On motion of Mr. Whittington it is ordered that this Cause be and the same is hereby assigned for argument on the 13th day of October next.

The State of New Jersey
17 Orig. vs. Complainant
The State of Delaware.

On motion of Mr. Talbot Johnson of counsel for the complainant,

it is ordered. That the State of Delaware, plead answer or demur to the Bill of Complaint filed in the above stated case on or before the 2nd Monday of October next; and that when an issue of fact is joined, each party be at liberty on ten days notice, to take testimony before a commissioner of the Circuit Court of the United States in such manner as testimony is usually taken for the purpose of being used in the Circuit Courts of the United States.

A. S. Boyd jr. Chas.
083. vs. Plff in Error
The State of Alabama.

The motion to dismiss or affirm this cause was submitted to the consideration of the Court on printed arguments by Mr. Phillips Gen'l. J.V. Morgan in support of said motion and by Mr. S.F. Rice in opposition thereto.

Warner Van Norden et al.	The motions to
794 vs. Plffs in Error	dismiss or
Miller Benner	affirm this
and	cause will be
Warner Van Norden et al	submitted to
795 vs. Plffs in Error	the consideration
H. W. Washburn	of the
	Court on

printed arguments by Messrs Bingham, Shellabarger and Wilson in support of said motions, and by Messrs Durant & Horner in opposition thereto.

Daniel F. Grant Guardian &c et al.	On motion of
216 vs. Appellants	Mr. P. K. Stannard
Increase C. Plank et al.	it is ordered
	that the decree
	of dismissal

entered in this cause on the 21st day of April instant be and the same is hereby rescinded and annulled. And that the cause be and the same is hereby reinstated upon the docket.

John F. Goddard, Adm'r of
Robert G. Shedd.
No 1111 vs. Appellant
Albert Ordway.

The motion for a writ of Supersedeas in this cause was argued by Mr. E. J. Stanton in support of the same and by Hon. Jeff. Chandler and Mr. R. T. Merrick in opposition thereto,

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John F. Goddard, Adm'r of
Robert G. Shedd.
No 1040 vs. Appellant
Albert Ordway.

This cause coming on to be heard on the petition of appellant for a supersedeas, and being argued, it is thereupon, this 23d day of April 1877, ordered that a restraining order issue in the premises directed to the Supreme Court of the District of Columbia, and to the receiver appointed by that Court to stay any action in respect of the payment of the funds in the hands of said receiver, until the further order of this Court

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The State of Texas 1. Orig. vs. Complainants George M. White, John Chiles et al.	Ordered by the Court that this cause be and the same is hereby stricken from the docket per Mr. Chief Justice Waite.

The State of Texas 2. Orig. vs. Complainants George Peabody & Co. et al.	On motion of Mr. Peabody & Mr. Tracy of counsel for the defendants it is

ordered that this cause be and the same is hereby dismissed with costs, for the want of prosecution.

per Mr. Chief Justice Waite.

Ex parte: In the matter of J. J. House. 11. Orig.t Petitioner	Ordered by the Court that this cause be and the same is

hereby dismissed for the want of prosecution

per Mr. Chief Justice Waite.

5.	The State of Texas Orig.l vs. John Chiles Complainant	Ordered by the Court that this cause be and the same is hereby dismissed

with costs for the want of prosecution.

per Mr. Chief Justice Waite.

10	Ex parte In the matter of Madison Deans Orig.l Petitioner	Ordered by the Court that this cause be, and the same is

hereby dismissed for the want of prosecution.

per Mr. Chief Justice Waite.

11.	Ex parte In the matter of John White & John Howard Orig.l Petitioners	Ordered by the Court that this cause be and the same is hereby

dismissed for the want of prosecution.

per Mr. Chief Justice Waite.

Nicholas H. Cosey as Trustee of the New Orleans National Banking Association

15. Orig.t -vs- Plaintiff.

Count Joffredo Gallia.

This cause was submitted to the consideration of the Court, on the record and printed arguments by Mr. C. Case of Counsel for the plaintiff and by Messrs Carlisle & O'Brien of Counsel for the defendants.

Ex parte: In the matter of James F. Easton & James McMahon

19. Orig.l Petitioners

The argument of this cause was commenced by Mr. E.D. McCarty of Counsel for the petitioners.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday April 2nd 1877

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller Associate
Stephen J. Field Justices.
William Strong
Joseph P. Bradley
Ward Hunt.

John G. Nicolay, Esquire, Marshal
Daniel Henry Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Wm. P. Phillips, it is ordered that Anthony T. Knapp, Esquire of Springfield State of Illinois, be admitted to practice as an attorney and Counsellor of this Court, and he was sworn accordingly.

Ex parte: In the matter of James F. Easton & James McMahon.
19. Orig.l Petitioners.

The argument of this cause was continued by Mr. E. D. T. Early in support of the petition, by Mr. F. K. Wilcox in opposition thereto, and concluded by Mr. J. E. Bowen for the petitioners.

Ex parte: In the matter of the Philadelphia Steam Propeller Co. & Nathaniel Briggs.
21. Orig.l Petitioners

The argument of this cause was commenced by Mr. P. C. Benedict of counsel for the petitioners, and continued by Mr. F. K. Wilcox in opposition to the petition.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday April 25th 1877

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite.	Chief Justice.
Nathan Clifford	Associate Justices.
Noah H. Swayne	
Samuel F. Miller	
Stephen J. Field	
William Strong	
Joseph P. Bradley	
Ward Hunt.	

John G. Priestley, Esquire Marshal.
Daniel Henry Middleton Clerk.

Proclamation being made the Court is opened.

Charles G. Cramwell
vs. Plff in Error
The County of Sac.

On motion of Mr. J. D. McPherson leave is hereby granted the Clerk to issue the mandate in this cause.

The Town of East Lincoln.
553 vs. Plff in Error
Charles Davenport.

This cause was submitted to the consideration

of the Court on the record and printed arguments by Mr. J. M. Palmer of Counsel for the plaintiff in Error and by Mr. S. M. Cullom for the defendant in error under the 20th rule.

Ex parte: In the matter of the Philadelphia Steam Propeller Co & Nathaniel Briggs.

21 Orig. Petitioners

The argument of this cause was continued by Mr. J. C. Wilcox in opposition to the petition, and concluded by Mr. C. J. Benedict of Counsel for the petitioners

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The Southern Express Co.

227 vs. Plff in Error

John P. Dickson

This cause was argued by Mr. B. A. Seward of Counsel for the plaintiff in Error and by Mr. Conway Robinson and Mr. Leigh Robinson of Counsel for the defendant in Error.

John Hogan et al.

228 vs. Plffs in Error

Elizabeth M. Kurtz.

This cause was argued by Mr. Geo. S. Appleby of Counsel for

the defendant in Error, and submitted on printed argument by Mr. J. D. McPherson of Counsel for the defendant in Error, and by Mr. Patten for the plaintiff in Error.

Joel C. Davis et al.
vs. Plffs in Error.
The State ex rel. The Board of County Commissioners of Bartholomew County.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Ralph Hill of Counsel for the plaintiff in Error and by Mr. S. Stansifer for the defendant in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday April 26th 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John C. Bierley Esquire Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr J. K. McCammon, it is ordered that Edward T. Pugh, Esquire, of Philadelphia State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in

this behalf by Mr. G. W. Parsons it is ordered that Samuel J. Crooks Esquire of New York City be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. J. M. Norwood it is ordered that Clifford Anderson Esquire of Macon, State of Georgia be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

J. B. Lippincott & Co. Appellants
vs.
Nannie C. Mitchell by her next friend Price Williams.

This cause was argued by Mr. J. H. Ashton of Counsel for the appellant and submitted on printed argument by Mr. Percy Walker of Counsel for the appellee.

The United States
252 vs. Plff in Error
Francis M. Young et al.
and
The United States
253 vs. Plff in Error
Samuel H. Manning et al.

Whose cases were submitted to the consideration of the Court, on the record and printed argument by Mr. Assistant Attorney General Smith of Counsel for the plaintiffs in Error.

The Board of Supervisors of Wayne County vs.
255 vs. Appellant.
John W. Kennicott et al.

The argument of this cause was commenced by Mr. A. L. Knapp of Counsel for Appellant. The Court ordered to hear further argument of this cause.

The Relief Fire Insurance Company of New York
257 vs. Plff in Error
Elijah A. Shaw

This cause was argued by Mr J. G. Abbott of Counsel for the plaintiff in Error and by Mr. C. J. Hodges for the defendant in Error.

Charles H. Morrison
358 U.S. Pltff in Error
Peter G. Lorkin, Jr. Def't in Er.

Ordered by the Court that this cause be and the same is hereby continued until the next term.

James B. Eames et al.
260 U.S. Appellants
The Home Insurance Company of New York.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. C. Robinson of counsel for the appellants and by Mr. Geo. C. Ide for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday April 2d 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite	Chief Justice.
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices.
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Stanley, Esquire Marshal.
David Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. M. S. Price it is ordered that Isidore C. Clemann, Esquire of Philadelphia State of Pennsylvania be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

The Mutual Life Insurance Company of New York.
633 vs. Appeal in Error
Charles H. Letrade, admr of Catharine G. Shepard.

In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and on the stipulation on file and on motion of Mr. M. Blair in behalf of counsel It is now here ordered, and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in, in accordance with law and justice.

Per Mr. Chief Justice Waite.

Charles Forbes
1015 vs. Appellant
Thomas Grassy et al

On motion of Mr. C. J. Hilleyer, this cause was submitted

to the consideration of the Court on the record and printed arguments by Mr. Hall McAllister of counsel for the appellant and by Mr. W. C. Deal of counsel for the appellees.

Daniel F. Gunn Guardian &c.
216 vs. Appellant.
S. C. & P. R. R. Co. et al.

This cause was argued by Mr. S. M. Norwood of counsel for the appellant, and by Wm. C. Anderson for the appellees.

The Connecticut Mutual Life Insurance Company
261 vs. Plff in Error.
Adam Schwenk, Guardian &c.

The argument of this cause was commenced by Mr. M. Arnold of counsel for the plaintiff in Error. The Court declined to hear further argument in the case.

The Globe Mutual Life Insurance Co of New York.
265 vs. Plff in Error.
Marcus A. Wolff Exec'r &c.

The argument of this cause was commenced by Mr

J. N. Robin, of Counsel for the plaintiffs in Error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday April 30. 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable	Morrison R. Waite,	Chief Justice
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices
	William Strong	
	Joseph P. Bradley,	
	Ward Hunt	

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Enoch Totten, it is ordered that Zabriskie H. F. Seifeld, Esquire of Washington City District of Columbia be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

The New Jersey Mutual Life Insurance Company. Plff in Error
vs.
Anson W. Baker.

In Error to the Circuit Court of the United States for the Northern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of New York, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the courts of the State of New York.

Per Mr. Justice Hunt.

The Connecticut Mutual Life Insurance Company. Plff in Error
vs.
Tennessee Shaffer.

In Error to the Circuit Court of the United States for the Southern

District of Ohio

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Ohio.

per Mr. Justice Bradley

Joseph Silsbee, Collector of Internal Revenue. Plff in Error

221 vs.

The Equitable Trust Company.

In Error to the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District

of Connecticut, and was argued by
Counsel. On consideration whereof it is
now here ordered and adjudged by
this court that the judgment of the
said Circuit Court in this cause be
and the same is hereby affirmed with
costs and interest until paid at the same
rate per annum that similar judgments
bear in the Courts of the State of Connecticut

per Mr Justice Strong.

The Milwaukee & St. Paul Railway Company
338 vs. Pltff in Error.
Timothy Kellogg.

In Error to the Circuit Court of the United States for the Dist. [illegible] of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in

in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Iowa.

Per Mr. Justice Strong.

Eli Allore
vs. Appellant
Marshall Jewell.

Appeal from the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with directions

to enter a decree in conformity with the opinion of this Court.

Dissenting.
Mr. Justice Strong.
" Ch. Jus. Waite
" Justice Bradley.

per Mr. Justice Field

Henry V. Howell et al. Appellants.
vs.
205 Rufus Y. McAden, Thomas L. Lutterloh, Henry V. Payne & Western Pacific Railroad Company et al.

Appeal from the Circuit Court of the United States for the Eastern District of North Carolina

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of North Carolina, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said

Circuit Court with directions to proceed in conformity with the opinion of this Court.

per Mr. Justice Miller.

Henry L. Hyde, Assignee of T. W. Penn, a bankrupt.

vs. Pff in Error.

Frank H. Woods and James Buchanan.

In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr. Justice Miller.

230

Francis Darby et al. Claimants of the Schooner Stephen Morgan. Appellants.
vs.
Joseph Good.

Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that bonds bear in the Courts of the State of Maryland.

Per Mr. Justice Clifford.

James H. McCready
vs. Plff in Error
The Commonwealth of
Virginia.

In Error to the Supreme Court of
Appeals of the State
of Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be and the same is hereby affirmed with costs.

Per Mr. Chief Justice Waite.

James H. McCready,
vs. Plff in Error
The Commonwealth of
Virginia.

In Error to the
Supreme Court
of Appeals of
the State of
Virginia.

This cause came on to be heard on the transcripts of the record from the Supreme Court of Appeals of the State of Virginia.

and was argued by counsel- On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Supreme Court of Appeals in this cause be and the same is hereby affirmed with costs

per Mr Chief Justice Waite.

The Board of Supervisors of Wayne County. impleaded with the Mount Vernon Railroad Company.

253 vs. Appellants.

John H. Kennicott, Joseph N. Ward, Andrew H. Ward et al.

Appeal from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel- On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause

be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar dues have in the Courts of the State of Illinois.

per Mr. Chief Justice Waite.

Warner Vail Stoddard and Lafayette Folger Plffs in Error	In Error to the Supreme Court of the State of Louisiana.
794 vs	
Miller Benner.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the motion of Mr. S. Shellabarger of Counsel for the Defendants in Error to dismiss which was argued by Counsel On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

Warner Vail Norden, Ex. Edward C. Fabens. Plff in Error
795 vs.
N. W. Washburne.

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and on the motion of Mr. S. Shellabarger of counsel for the defendant in Error, to dismiss which was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the writ of Error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

The United States Plff in Error
352 vs.
Francis M. Young.
Thomas C. Evans
Paschal Peak, and
John Ramage.

In Error to the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby reversed. And that this cause be and the same is hereby remanded to the said Circuit Court with directions to overrule the demurrer to the second count of the declaration, and to proceed according to law and justice.

Per Mr. Chief Justice Waite

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353 The United States vs. Samuel H. Manning, Thomas A. McCall, John Porterfield, Samuel B. Davidson & William Jordan.

In Error to the Circuit Court of the United States for the Middle District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle

District of Tennessee, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed. And that this Cause be and the same is hereby remanded to the said Circuit Court with directions to award a venire facias de novo.

per Mr. Chief Justice Waite

The County of Scotland
190 vs Pltff in Error
Joseph T. Thomas

On motion of Mr. C. J. Baker leave is hereby granted the Clerk to issue the Mandate in this cause.

John C. Goddard & Adm'r of Robert G. Shedd.
191 vs Appellant.
Albert Adsway.

Mr. P. T. Morris by leave of the Court filed and submitted to the Consideration of the Court motion for an order on the receiver appointed by the Court below in this cause directing him to

pay over certain moneys in his hands.

On motion of Mr. E. C. Stanton leave granted him to file printed reply if deemed necessary by the Court.

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129 The United States vs. The Philadelphia and Southern Mail Steamship Company — Appellants

The Philadelphia & Southern Mail Steamship Company vs. The United States — Appellant

130 And

George Pursglove vs. Steamship Juniata et al — Appellant

628

On motion of Mr. C. H. Horner leave is hereby granted the Clerk to issue the mandate in these cases.

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59 The Board of Supervisors of Kendall County vs. Augustus T. Post — Cliff in Error.

On motion of Mr. S. Phillips leave is hereby granted the Clerk to issue the mandate in this cause.

The Pittsburg Locomotive and Car Works
718 vs. Pfff in Error
The State National Bank of Keokuk, Iowa.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. Anderson in support of the same, and by H. Stoll Howell in opposition thereto.

Edward Swanson
390 vs. Pfff in Error,
Thomas Alsop, Assignee.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. Hussey and Mr. Johnson in support of the same, and by Messrs. Shellabarger and Wilson in opposition thereto.

The Globe Mutual Life Insurance Company of New York
262 vs. Pfff in Error
Marcus A. Wolff Exr &c.

The argument of this cause was continued by Mr. John W. Noble of counsel for

the plaintiff in Error and submitted on printed argument by Mr. M. Blair of counsel for the defendants in Error

239 W. D. Stewart Admr &c. Appellant vs. Ezekiel Salomon et al.

(Assigned.) This cause was argued by Mr. Alexander K. Stevens of counsel for the appellants and by Mr. P. Phillips of Counsel for the Appellees.

263 The Ætna Insurance Co. Plff in Error vs. William C. Bean et al.

The argument of this cause was commenced by Mr. George H. Parsons of Counsel for the plaintiff in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday May 1st 1877

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite — Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field — Associate Justices
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay, Esquire, Marshal.
Daniel Tilley Middleton, Clerk.

Proclamation being made the Court is opened.

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58 — The Town of South Ottawa vs. Perkins in Error. Noah C. Perkins.

On motion of Mr. P. Phillips leave granted the Clerk to issue mandate.

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363 — The Ætna Insurance Co vs. Brownell et al. William C. Brownell et al.

The argument of this cause was continued by

Mr. Geo. H. Parsons of Counsel for the plaintiff in Error, by Mr. Francis Fellowes, of Counsel for the defendant in Error, and continued by Mr. R. D. Hubbard of Counsel for the plaintiff in Error.

Proclamation being made the Court, is adjourned until Monday next at twelve o'clock.

Monday May 7. 1877.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable	Morrison R. Waite	Chief Justice.
	Nathan Clifford	
	Noah H. Swayne	
	Samuel F. Miller	Associate
	Stephen J. Field	Justices.
	William Strong	
	Joseph P. Bradley	
	Ward Hunt.	

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon. Matt. H. Carpenter it is ordered that Lucien Birdseye, Esquire, of New York City, and A. Ames Evans, Esquire of Boston, State of Massachusetts be admitted to practice as attorneys and counsellors of this Court, and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. H. McPherson, it is ordered that Harvey Spalding Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by the Assistant Attorney General Smith it is ordered that J. Farbell, Esquire, of Jackson State of Mississippi be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Enoch Totten, it is ordered that J. H. Raymond, Esquire of Chicago State of Illinois and Edward P. Tyler, Esquire of Washington City, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Southern Express Company.		In Error to
247 vs.	Pltff in Error.	the Circuit
John P. Dickson		Court of the
		United States

for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Alabama

Per Mr. Justice Hunt.

Thomas Wilson		Appeal from the
248 vs	Appellant	Supreme Court of
Alfred Hass,		the District of
		Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed that the decree of the said Supreme Court in this cause be and the same is hereby affirmed with cost.

Per Mr. Justice Hunt.

The Town of East Lincoln
vs. Appeal in Error
Charles Davenport

In Error to the Circuit Court of the United States for the Southern District of Illinois.

536

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with cost and interest

until paid at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

Per Mr. Justice Hunt.

Horace S. Johnson
Appellant
vs.
Charles H. Sherman

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Dissenting. Per Mr. Justice Bradley.
Mr. Justice Clifford.

No 231 Writ of Error dismissed for want of prosecution.

231 No. Aff'm in Error.

David Frantz and Lucella F. his wife, in right of said Lucella F. and to her use

vs

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

Per Mr. Justice Bradley.

The Relief Fire Insurance Company of New York.
vs. Pltff in Error.
Elijah K. Shaw.

In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Massachusetts.

Per Mr. Justice Bradley.

James B. Eames and Edwin A. Cooley, partners under the firm name and style of Eames & Cooley. Appellants.
No. 49.
vs.
The Home Insurance Company of New York.

Appeal from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree in conformity with the opinion of this Court and to take such further proceedings as law and equity may require.

Per Mr. Justice Bradley

The Connecticut Mutual Life Insurance Company. Plff in Error,
vs.
Adam Schmidt, Guardian of Hugus Joseph McDonough (by Steven McDonough, and Michael Quinn, Guardian of Charles Nolan, and Catharine Nolan.

In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania and was argued by counsel - On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Strong.

The Chesapeake & Ohio Rail road Company.
vs. In Error to
The Commonwealth of Virginia

The Supreme Court of Appeals of the State of Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the Supreme Court of Appeals in this cause be and the same is hereby affirmed with costs and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

Dissenting. Mr Justice Harlan
Mr Justice Field.

Mr Justice Strong

The Chesapeake & Ohio Railroad Company.
vs. Plff in Error.
The Commonwealth of Virginia.

In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the Transcript of the record from the Supreme Court of Appeals of the State of Virginia and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

Dissenting Mr Justice Strong.
Mr Justice Hunt
Field.

Monday, May 7th 1877. Continued

The Chesapeake & Ohio Railroad Company.

687 vs. Plff in Error.

The Commonwealth of Virginia.

In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals, in this cause be, and the same is hereby affirmed with costs and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

Dissenting Mr Justice Hunt Field

per Mr Justice Strong

The Chesapeake & Ohio Rail road Company.
658. vs Pltff in Error
The Commonwealth of Virginia

In Error to the Supreme Court of Appeals of the State of Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be and the same is hereby affirmed with costs and interest until paid at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

Dissenting Mr. Justice Hunt
. . Field

per Mr. Justice Strong

Monday May 9th 1877 continued.

225 Benjamin Stark, Appellant
vs.
Lewis M. Starr

Appeal from the Circuit Court of the United States for the District of Oregon

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon and was argued by counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby affirmed with costs

per Mr. Justice Field

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226 Benjamin Stark
vs
Lewis M. Starr
Appellant

Appeal from the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof it is now here

ordered adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

for Mr. Justice Field.

Benjamin Stark 22 Pet. Appellant Charles F. Bacon, William Sherlock, and Samuel Sherlock.	Appeal from the Circuit Court of the United States from the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

for Mr. Justice Field.

William D. Stewart Administrator of James Stewart deceased. Allen S. Coles, et al. vs. Ezekiel Salomon, Sidney Root, Jr. Bush, & Edward H. Marshall, as Salomon, Root & Co.	Appeal from the Circuit Court of the United States for the Southern District of Georgia.

199

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by Counsel.

On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs, And that this cause be and the same is hereby remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Field.

Andrew J. Davis
217 vs. Appellant
Harvey Wood

Appeal from the Supreme Court of the Territory of Montana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Montana, and was argued by Counsel. On consideration whereof it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby reversed with Costs. And that this cause be and the same is hereby remanded to the said Supreme Court with directions to enter a decree in conformity with the opinion of this Court.

Per Mr. Justice Field.

H. H. Boyd, jr. John T. Capers for H. H. Kelly.
682 vs. Plff in Error.
The State of Alabama.

In Error to the Supreme Court of the State of Alabama.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Alabama, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Justice Field.

Charles Forbes
vs. Appellant.
Thomas Gracey. The con-
solidated Virginia Mining
Co. John W. Mackay, and
James G. Fair.

Appeal from the Circuit Court of the United States for the District of Nevada.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nevada, and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the

same is hereby affirmed with costs.

per Mr. Justice Miller.

Mr. Justice Field took no part in the decision of this cause.

The United States		In Error to the
32 vs	Plff in Error	Supreme Court
Antonio Joseph		of the Territory
		of New Mexico

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed.

per Mr. Justice Miller.

Monday May 7th 1877 Continued

	The United States	In Error to the
33	vs Plff in Error.	Supreme Court
	Juan Santisevan	of the Territory of
		New Mexico

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed.

Per Mr Justice Miller.

	Joel C. Davis, William	In Error to
	C. Adams, C. Newsom,	the Supreme
	and J. C. Newsom	Court of
250	vs Plffs in Error.	the State
	The State of Indiana, Ex rel.	of Indiana.
	The Board of Commissioners of	
	Bartholomew County.	

This cause came on to be heard on the transcript of the record from the Supreme

Court of the State of Indiana, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Miller.

J. B. Lippincott & Company
vs. Appellant.
Jennie C. Mitchell by her next friend Eric Williams.

Appeal from the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcripts of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof it is is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is

hereby affirmed with costs.

Dissenting Mr Justice Swayne
Mr Justice Strong.

Nicholas M. Carey, as Receiver of the New Orleans Banking Association. Plaintiff

15 Aug. -os

Count Goffredo Calli.

This day came the parties, and the Court being fully advised in the premises consider that the said second and third pleas in bar of said defendant above hereof pleaded are insufficient to bar the said plaintiff from having and maintaining his action aforesaid against said defendant, and that the respective demurrers of said plaintiff to said pleas and each of them should be sustained and thereupon the parties having filed their written stipulation waiving a trial by jury and submitting this cause for trial to the Court upon the issue joined between them and the Court having heard the evidence submitted and the arguments of counsel doth find that the

said defendant is indebted to and doth owe the said plaintiff the said sum of fifteen hundred dollars in manner and form as said plaintiff hath above herein complained against said defendant and that said plaintiff hath sustained damages by reason of the detention thereof in the sum of one hundred and thirty seven dollars and fifty cents; Whereupon it is ordered and adjudged by the Court that the demurrers to said second and third pleas in bar of said defendant be sustained, and that said plaintiff do have and recover from said defendant the said sum of fifteen hundred dollars his debt aforesaid and also the further sum of one hundred and thirty seven dollars and fifty cents his damages aforesaid in form aforesaid assessed and also his costs in this behalf expended taxed at Eighty dollars and fifty seven cents, and that execution issue therefor.

per Mr. Justice Swayne.

Richard Sullivan, Trustee
& Jeremiah Gardiner
248 vs. Appellants.
The Portland & Kennebec
Railroad Company, and
John Poor, Trustee.

Appeal from
the Circuit
Court of the
United States
for the District
of Maine.

This cause came on to be heard on the tran
script of the record from the Circuit Court
of the United States for the District of
Maine, and was argued by counsel. On
consideration whereof it is now here
ordered, adjudged and decreed by this
Court that the decree of the said Circuit
Court in this cause be, and the same is
hereby, affirmed with costs.

Per Mr. Justice Swayne.

John Hogan, Patrick
Hogan & Thomas Hogan
by his next friend
William P. O'Connor.
248 vs. Piffs in Error.
Elizabeth Hurtz

In Error,
to the Su
preme Court
of the
District of
Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Clifford.

George Sessions
Plff in Error
vs.
Francis A. Johnson, Ford
Joel H. Le Wayne Assignee
of S. L. Shaw & S. D. Sprague,
Bankrupts.

In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof it

is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest on the said at the same rate for the same that similar judgments bear in the Courts of the State of Massachusetts

per Mr. Justice Clifford.

Ann Davis et al.
vs. In Error to the
Jeff in Error Supreme Court
Ann Crouch et al. of Appeals of the State of Virginia

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia and was argued by Counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the writ of Error in this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite

Luther H. Pike et al
216 vs. Appellants
John Wassell.

Appeal from the Circuit Court of the United States for the Eastern District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and that this cause be and the same is hereby remanded to the said Circuit Court with instructions to proceed in conformity with the opinion of the Court and all law and justice may require.

Per Mr. Chief Justice Waite.

Daniel F. Gunn, Guardian of H. M. Gunn et al.
vs. Appellants
Lucius C. Paul, Robert M. Paul, & Morris Belcher, partners under the firm name & style of J. C. Paul & Son.

Appeal from the Circuit Court of the United States for the Southern District of Georgia.

246

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs. And that this cause be and the same is hereby remanded to the said Circuit Court with instructions to proceed in conformity with the opinion of this Court and to law and justice may appear. Per Mr. Chief Justice Taney.

The Pittsburg Locomotive and Car Works. Plff in Error.
vs.
The State National Bank of Keokuk, Iowa.

In Error to the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and on the motion of Mr. J. H. Anderson of Counsel for the defendant in Error to dismiss, which was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite.

John S. Goddard, Admr
of Robert G. Shaw
1040. vs. Appellant.
Elliott Cabot

On consideration of the motion for a writ of supersedeas in this cause it is now here ordered by the Court, that said motion be, and the same is hereby denied. And it is further ordered that the restraining order heretofore issued in this cause be, and the same is hereby continued in force.

per Mr. Chief Justice Waite.

Edward Branson
329. vs. Pltff in Error.
Thomas Bishop, Assignee

The motion to vacate the supersedeas in this cause is denied. The writ of May 18. 1875 was issued out within sixty days after the rendition of the judgment, and the action of Mr. Justice Miller, August 21st. 1875 was equivalent to the allowance of a supersedeas thereon, under the provisions of section 1007. Rev. Stat. The allowance of the second writ was not necessary

The Pittsburg Locomotive and Car Works. Plff in Error,
vs. In Error to the Circuit Court of the United States for the District of Iowa.
The State National Bank of Keokuk, Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and on the motion of Mr. J. H. Anderson of Counsel for the defendant in Error to dismiss, which was argued by Counsel. On consideration whereof it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

John P. Goddard, Admr
of Robert G. Shead
1040. vs. Appellant.
Albert Ordway

On consideration
of the motion
for a writ of
supersedeas in
this cause it
is now here ordered by the Court that
said motion be and the same is hereby
denied. And it is further ordered that
the restraining order heretofore issued in
this cause be, and the same is hereby
continued in force.

per Mr. Chief Justice Waite.

Edward Saunders
Pltff in Error
Thomas Allen's Assignees

Motion to
vacate the
supersedeas
in this cause

is denied. The writ of error was
issued out within sixty days after the
rendition of the judgment, and the action
of Mr. Justice Miller August 31st 1875 was
equivalent to the allowance of a supersedeas thereon, under the provisions of
section 1007 Rev. Stat. The allowance of
the second writ was not necessary

and may be treated as surplusage.

Per Mr. Chief Justice Waite.

The County of Livingston
336 vs. Appellant.
The Union Trust Company
of New York.

Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the authority of counsel for the appellant on file, and motion of Mr. M. H. Carpenter, it is now here ordered adjudged and decreed by this Court that this appeal be, and the same is hereby dismissed with costs.

Per Mr. Chief Justice Waite.

The United States	In Error to
665. vs. Pltff in Error.	the Circuit
John H. Morris, Adminis-	Court of the
trator of L. J. Harrison	United States
deceased. James M.	for the Middle
Parament, Wm A. Malone,	District of
& Daniel G. Anderson.	Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Middle District of Tennessee and on the motion of Mr. A. J. Riddle of counsel for the defendants in Error and counsel of Mr. Assistant Attorney General Smith of counsel for the plaintiffs in Error, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

James M. Peter Dalton.
Cliff in Error.
Wm. S. Weston.

Mr. M. P. Bell suggested a diminution of the record in this cause, and by leave of the Court filed motion for a writ of Certiorari

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Joseph Shields
Cliff in Error.
The State of Ohio

On motion of Mr. Shumaker it is ordered that this cause be assigned for argument on the second day of the next term of this Court.

Order.

It is now here ordered by the Court that all the cases on the docket not decided, and all the other business of the term not disposed of by the Court be, and the same are hereby, continued to the next term of this Court.

Proclamation being made the Court is adjourned to the time and place appointed by law.

Minutes
of the
Supreme Court
of the
United States.
October Term
1877.

Monday October 8th, 1877

At the Capitol of the United States, in the City of Washington and District of Columbia, being the present seat of the National Government of the United States, on the second Monday of October (being the eighth day of the same month), in the year of Our Lord one thousand eight hundred and seventy-seven, and of the Independence of the United States the one hundred and second, the Supreme Court of the United States met agreeably to law—

Present—

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
} Associate Justices

John G. Nicolay Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened—

On motion first made to the Court in this behalf by Mr. R. T. Merrick, it is ordered that Filmore Beall, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.—

On motion first made to the Court in this behalf by Mr. Attorney General Devens, it is ordered that Seth J. Thomas, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.—

On motion first made to the Court in this behalf by Mr. Chauncey Shaffer, it is ordered that Edgar A. Purnell, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. C. B. Goodrich, it is ordered

that Frederick E. Bryant, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. F. Rice, it is ordered that H. A. Herbert and D. S. Troy, Esquires, of Montgomery, State of Alabama, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that A. H. Handy, Esquire, of Jackson, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Chief Justice announced that the Court would commence the call of the docket tomorrow under the 65th Rule,

and that motions noticed for to-day would also be heard to-morrow.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M.

Tuesday, October 9th, 1877

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. Shellabarger, it is ordered that H. H. Corlett, Esquire, of Cheyenne, Wyoming Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. N. D. Davidge, it is ordered

that Linden Kent, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips it is ordered that Thomas H. Herndon, Esquire, of Mobile, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

730.	Andrew J. Aiken, Appellant, vs. H. C. Reilly, Assignee	Mr. P. Phillips, in behalf of Mr. A. N. Handy, suggested the bankruptcy of Andrew J. Aiken, the appellant in this cause, and moved the Court that Charles D. Lallande and John G. Glover, Assignees of the said bankrupt be substituted as the appellants in this cause. Whereupon it is now here ordered by the Court that Charles D. Lallande and John G. Glover,

Assignees in bankruptcy of Andrew J. Aiken, as aforesaid, be, and they are hereby substituted for the said Andrew J. Aiken and made the appellants in this cause.

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710. Harvey Ferry vs. Elfin Error. B. F. & J. P. Little. | Mr. N. Ferry filed and submitted to the consideration of the Court motion to advance this cause for argument with No. 168, when the latter cause is reached in the regular call of the docket.

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216 U.S. 173. James P. Carroll et al vs. Joshua & Thomas Frent. Appellants | Mr. N. Ferry filed application for instructions to the Circuit Court of the United States for the District of South Carolina, in regard to the decree entered in this cause.

The Chesapeake & Ohio Railroad Company
4. vs. Plff in Error
Samuel H. Early (in his own right and as trustee for Hannah Early) and Henry Early

In Error to the District Court of the United States for the District of West Virginia.

This cause came on to be heard on the transcript of the record from the District of the United States for the District of West Virginia and on the stipulation of Counsel on file, and motion of Mr J. H. Storrs, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed, each party paying their own costs.

per Mr. Chief Justice Waite.

Ex parte: The South & North Alabama R.R.Co.
5. original — Petitioner

On motion of Mr. S. F. Rice, it is ordered that the motion for man-

dannes in this cause be assigned for the 16th instant.

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6. George W. Bowen vs. Plff in Error Nelson Chase | On motion of Mr. C. Shaffer, it is ordered that this cause be passed on account of sickness of counsel, to be taken up under section 7, Rule 16.

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5. Washington Ford vs. Plff in Error James Surget | On motion of Mr. Mussey, it is ordered that this cause be passed on account of sickness of counsel, to be taken up under section 7, Rule 16.

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63. William Miller, late Collector of Customs, and John T. Foster, Collector of Internal Revenue vs. Plff in Error Albert Elmore & William L. Lanier | In Error to the Circuit Court of the United States for the Southern District of Alabama.

Tuesday, October 9th, 1877, Continued—

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiffs in error, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs—

per Mr. Chief Justice Waite—

Henry A. Smythe, Collector of the Port of New York—
vs. } In Error to the
Nathaniel D. Carlile and } Circuit Court
Horace D. Carlile } of the United
78— } States for the
} Southern
} District of
New York—

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of—

Counsel for the plaintiff in error, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

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154. James Pickett vs. The United States | In Error to the Supreme Court of the Territory of Idaho.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Idaho, and on the motion of Mr. Solicitor General Phillips, of Counsel for the defendant in error, stating that the plaintiff in error in this cause had been pardoned, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite

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183 — The United States, Plaintiff, vs. F. N. Russell and J. J. Scott. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and on the points or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiff, it is now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite

Tuesday, October 9th, 1877, Continued

184 The United States, Plaintiff, vs. James N. Buck. | On certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and on the points or questions on which the judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided; and on motion of Mr. Solicitor General Phillips, of counsel for the plaintiff, it is now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite.

8. Thomas E. Williams et al. vs. John Morris, Executor of Thos. B. Florence, dec'd, et al. Appellants | On motion of Mr. H. F. McCoy, it is ordered that this cause be passed on account of sickness of counsel, to be taken up under section 7, Rule 26.

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386. Joseph Shields vs. The State of Ohio. Plff in Error | (Assigned.) This cause was argued by Mr. James Mason, of counsel for the plaintiff in error, and by Mr. S. Stellabarger, for the defendant in error.

(The Chief Justice having been of counsel did not sit in this cause.)

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1. John R. Snick vs. The United States. Plff in Error | In Error to the Supreme Court of the Territory of Washington.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Washington, and on the motion of Mr. Solicitor General Phillips,

stating to the court that the plaintiff in error had failed to submit himself to the jurisdiction of the Court below as provided by the order entered herein on the 27th of November last, it is now therefore ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed.

Per Mr. Chief Justice Waite

The Keystone Bridge Co. Appellant
vs.
The Phoenix Iron Co.

The argument of this cause was commenced by Mr. Henry Baldwin Jr., of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 10th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol -

Present -

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay, Esquire, Marshal -
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Harding, it is ordered that John A. Stanley, Esquire, of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is

ordered that Lyman D. Gilbert, Esquire, of Harrisburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. W. Stoughton, it is ordered that Hon. J. P. Christiancy, of Lansing, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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15. Samuel C. Cook vs. Riffin Error. / The Commonwealth of Pennsylvania. — On motion of Mr. J. H. Ashton, with consent of Mr. L. D. Gilbert, it is ordered that this cause be passed, to be taken up subject to provisions of Section 7, Rule 16.

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2. The Keystone Bridge Co. vs. Appellant / The Phenix Iron Company. — The argument of this cause was continued by Mr. Henry Baldwin Jr.

of counsel for the appellants, by Mr. George Harding, of counsel for the appellee, and concluded by Mr. Baldwin for the appellant.

3- Gideon Putnam et al- vs. Chas E. Bill, Trustee- Appellants

This cause was argued by Mr. S. A. Huff, of counsel for the appellants, and submitted on printed argument by Mr. Henry Crawford, of counsel for the appellee-

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7- John G. Hount vs. R. C. Mindeg- Plff in Error

This cause was argued by Mr. S. F. Phillips, of counsel for the defendant in error, and submitted on printed argument by Mr. Jos. J. Davis, of counsel for the plaintiff in error.

John S. Vance and William N. Mitchell, Pltffs in Error
vs.
J. Wilcox Brown, Robert A. Lancaster, Philip J. Wright, John L. Williams, and Charles D. Lowndes

In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and it appearing to the Court that this is the second term at which this case has been called for argument, and that neither party is now prepared to argue the same, it is considered by the Court that this cause should be dismissed at the cost of the plaintiffs in error, pursuant to the 16th Rule of this Court. Whereupon it is now here ordered and adjudged by this Court that this cause be, and the same is hereby, dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, October 11th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

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11. John Good
W. Riffin Error
Ida Martin

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. T. Merrick and Mr. M. F. Morris, of counsel for the plaintiff in error, and by Mr. H. C. Allemand for the defendant in error.

Thursday, October 11th, 1877, Continued

11	The Central Pacific Railroad Company vs. Pltff in Error The United States	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James H. Storrs, of counsel for the plaintiff in error, and by Mr. Assistant Attorney General Smith for the defendant in error.

12	Wm L. McMillen vs. Pltff in Error Robert K. Anderson	This cause was argued by Mr. J. E. Leonard, of counsel for the plaintiff in Error. No counsel appearing for the defendant in error

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13	Edwin A. Hatch vs. Pltff in Error Thomas B. Coddington	This cause was argued by Mr. E. N. Stoughton of counsel for the plaintiff in error, and by Mr. S. P. Nash & Mr. N. M. Evarts for the defendant in Error.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock M.

Friday. October 12th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Kelley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. H. A. Herbert it is ordered that Jeremiah N. Wilson, Esquire, of Clayton, State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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16. Frank N. Fisher, Appellant, v. A. K. Craig & Jos. Craig. | Ordered by the Court that this cause be, and the same is hereby, passed for the present.

1118. The Cherokee Railroad Company and The Commercial Warehouse Co., Appellant, v. J. Nelson Tappan, Trustee of Henry Clews & Co. | Appeal from the Circuit Court of the United States for the Northern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Georgia, and on the stipulation of counsel for the respective parties on file, and motion of Mr. Samuel F. Phillips in behalf of counsel. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed, each party paying their own costs.

Per Mr. Chief Justice Waite.

The Empire Bank	In Error to the Cir-
617 vs. Riffin in Error	cuit Court of the
Henry H. Howes,	United States for the
Assignee of John L.	Eastern District of
Taggett, a Bankrupt.	Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and on the authority of counsel for the plaintiff in error, and motion of Mr. S. F. Phillips, in behalf of counsel, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

Edward G. Hamrick,	In Error to the
Administrator of Edward	Circuit Court of
Hamrick, deceased	the United States
18 vs. Riffin in Error	for the Western
David Barton et al	District of Texas.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Western District of Texas, and the plaintiff in error having been three times solemnly called by the Marshal to come into Court and prosecute his writ of error, and failing to appear, it is thereupon in pursuance of the 16th rule of this Court, and on the motion of Mr. J. H. Ashton, of counsel for the defendants in error, now here ordered and adjudged by this Court that this cause be, and the same is hereby dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceded in according to law and justice.

Per Mr. Chief Justice Waite

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19. The Union Pacific R.R.Co. (E.D.) Appellant
v.
Joseph B. Stewart

55. Joseph B. Stewart Appellant
v.
The Union Pacific R.R.Co. (E.D.)

These causes were argued by Mr. J. H. Ashton, of counsel for the Union Pacific R. R. Company. No

Friday, October 12th, 1877, Continued.

Counsel appearing for Jas. B. Stewart.

20. Elon T. Pratt et al vs. Riffin in Error — The Grand Trunk Railway Co. of Canada. | This cause was argued by Mr. J. K. Christianey of counsel for the defendant in Error, and submitted on printed argument by Mr. H. Jennison, of counsel for the plaintiffs in Error.

21. The New Orleans Canal and Banking Company vs. Appellant — A. B. Montgomery et al | This cause was argued by Mr. W. A. Maury and submitted by Mr. P. Phillips and Mr. Thomas Hunton, of counsel for the appellant. No counsel appearing for the appellees.

John L. Macauley, David Sterne, Herman Sterne, and A. H. Robertson.	Appeal from the Circuit Court of the United States for the District of Louisiana.
22. v. Appellants to	
Charles Clinton, Antoine Dubuclet, The Louisiana National Bank of New Orleans, & H. P. Kellogg.	

This cause came on to be heard and it appearing to the Court that the record remitted to the Court below has not been returned, and that no counsel appear for either party, it is now here ordered by the Court that this cause be, and the same is hereby, stricken from the docket at the cost of the appellants.

Per Mr. Chief Justice Waite

The Mutual Life Insurance Company of New York.	Ordered by the Court that this cause be, and the same is hereby, passed
24 v. In Error to	
J. Morrison Harris, Assignee.	

for the present.

Friday, October 8th, 1877, Continued.

25 Theodore Shillaber v. John Robinson, Appellant

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. M. H. Cardozo, of counsel for the appellant, and by Mr. Philip S. Crooke, for the appellee.

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26. Wm. C. Ammant, Wm. H. Talmage, James N. Embury, & Geo. Hazard. v. The Ship "Star of Hope," her tackle, apparel, furniture &c, Henry Pearsons, Claimant

Appeal from the Circuit Court of the United States for the District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and it appearing to the Court that this is the second term at which this case has been called for argument and that neither party is now prepared to argue the same, it is considered by the

Court that this cause should be dismissed at the cost of the appellants pursuant to the 19th Rule of this Court. Whereupon, it is now here ordered, adjudged, and decreed by this Court that this cause be, and the same is hereby, dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 15th 1877

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Haley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. George Hoadley, it is ordered that Bayliss W. Hanna, Esquire, of Terre Haute, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this

behalf by Mr. N. D. Davidge, it is ordered that John F. Hanna, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. T. Merrick, it is ordered that George Willard, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. Phillips, it is ordered that Samuel B. Paul, Esquire, of Petersburg, and William L. Royall, Esquire, of Richmond, State of Virginia, and Edward L. Andrews, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Campbell, it is ordered that Henry S. King, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Lowndes, it is ordered that Charles N. West, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

George Sessions
744 Cet. Term 1876. vs. Pltff in Error
Francis M. Johnson et al.

Mr. Justice Clifford filed the opinion of the Court in this cause.

Harvey Jerry
710 vs. Pltff in Error
D. F. & J. Little.

On consideration of the motion to advance this cause for argument with No. 168, it is ordered that said motion be, and the same is hereby de-

ried. Parties may stipulate that two causes shall be heard as one, and we will then take up both when the first is reached, but ordinarily we cannot require this to be done. The parties to every cause have the right to a hearing of their case separately from others.

A case is sometimes postponed for hearing until another is reached, but we never bring one forward except under special circumstances, such as do not appear in support of this application.

Per Mr. Chief Justice Waite

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16. The Union Pacific R.R. Co. (E.D.) v. Appellant / Joseph P. Stewart. and

55. Joseph P. Stewart v. Appellant / The Union Pacific R.R. Co. (E.D.)

On motion of Mr. M.H. Carpenter ordered that leave be granted him to file brief in behalf of J.P. Stewart in this cause and that Mr. J.P.

Usher of counsel for the Union Pacific R.R.Co, have ten days from this date to file a reply thereto should they desire to do so.

William F. Cochrane et al
7444 Oct. T. 1876. vs. Appellants
Josiah H. Kane et al.

Ordered that the Clerk of this Court return to the person depositing the same with him, the motion papers for motion to set aside the decree in this cause for collusion in obtaining the same, unless said motion be made in Court and brought to hearing on Monday next; and that a copy of this order be served this day on the counsel who deposited said papers, by mail. The above order granted on motion of Mr. M. H. Carpenter.

Russell Sage et al
vs. Appellants
The Central R.R.Co. of Iowa

Mr. J. N. B. Latrobe, presented a transcript of the record in this cause and moved the Court to docket and dismiss the same in pursuance of the 9th Rule of this Court,

which was opposed by Mr. A. A. Cowdrey. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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898 George Nagar &c. vs. Plff in Error The People of California. | The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. A. A. Sargent in support of the same with leave to counsel for Plff in error to file reply brief by the 19th instant.

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892 of 1876 - The Gilbert and Barker Manufacturing Company vs. Appellant The Coleman's Peninsular Gas Works Company. | Ordered by the Court that the motion of Mr. Stanley for leave to file motion to recall the mandate and cancel and annul the judgment of dismissal entered in this cause be, and the same is hereby, denied.

The Indianapolis & St Louis Railroad Company
896 vs. Appellant
J. L. Vance, Collector &c.
and
The Indianapolis & St Louis Railroad Company
897 vs. Appellant
J. L. Vance, Collector &c.

Mr. J. K. Edsall filed and submitted to the consideration of the Court, motion to advance these cases - Leave granted. Mr. B. H. Hunnel to file brief, in opposition thereto -

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Ellen B. Ponder
775 vs. Appellant
Gustavus DeLaney, Administrator &c.,

Mr. W. A. Phillips of counsel for the appellant suggested the death of Gustavus DeLaney, the appellee in this cause, and moved the Court for an order, under the 15th rule of this Court, to make the proper representatives parties - Whereupon it is now here ordered by this Court that unless the proper representatives of the said Gustavus DeLaney, deceased, as aforesaid shall voluntarily become parties

within the first ten days of the ensuing term of this Court the appellant shall be entitled to open the record in said cause and have the same heard, and the decree therein rendered reversed if erroneous— Provided that a copy of this order shall be printed in some newspaper at the seat of government, in which the laws of the United States shall be printed by authority, for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

Per Mr. Chief Justice Waite.

203. The City of Elizabeth et al. vs. The American Nicolson Pavement Company. Appellants

Mr. P. Phillips, in behalf of Mr. C. A. Seward, filed and submitted to the consideration of the Court motion for an order on the appellants to compel them to print the exhibits referred to in the stipulation of counsel on file in this cause or for such other directions as the Court

may deem proper in the premises. Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.

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689. Henry Hanenstein et al vs. Piffs in Error / Jno. A. Lynham, Escheator. | Mr. W. L. Royall filed and submitted to the consideration of the Court motion to advance this cause.

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799. The Grand Trunk Railway Company of Canada vs. Piff in Error. / Jesse K. Whitehouse, Admr. | The motion to dismiss this cause was submitted to the consideration of the Court by Mr. C. H. Goddard of counsel for the defendant in error.

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899. The Baltimore & Potomac Railroad Company vs. Piff in Error / Parley H. Eaton | Mr. George H. Paschal, of counsel for the defendant in error having

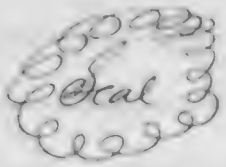
filed and read in open court the following certificate, to wit:

"Clerk's Office, Supreme Court of the District of Columbia.

Parley N. Eaton — vs — Baltimore & Potomac Railroad Company. } At Law No. 13,337

This is to certify that on the 6th day of November 1876, in said cause in general term, said cause was heard on exceptions to Circuit Court rulings and motion for new trial thereon, and that said exceptions were overruled, the motion for new trial refused and the judgment of the said Circuit Court was affirmed: that a special allocatur on the defendant's petition was by Mr. Justice Noah Swayne granted on the 15th day of November 1876, to have said cause heard in the Supreme Court of the United States, that on the same day bond to said Court was filed and the writ of error issued.

Witness my hand and the



seal of said Court, Oct. 13, 1877.
R. J. Meige, Clerk &c
by R. J. Meige jr., Asst. "

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, now here moved the Court in pursuance of the 9th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of the District of Columbia be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite

David J. Borhm, Adolph D. Bendheim, Gotleib Kaufman & Solomon Bondy, Co-partners as Borhm Bendheim & Co
vs. Plffs in Error
Joseph Seligman, Lawrence Wells & Edward Morgan.

Mr. James Lowndes of counsel for the defendants in Error having filed and read in open court the following

1001

certificate, to wit:

"In the Supreme Court of the United States.

Borhm, Bendheim & Co
Plaintiffs in Error
against
Joseph Seligman, Lawrence Wells & Edward Morgan.
Defendants in Error.

Writ of Error to the Superior Court of Chatham County, Georgia.

State of Georgia,
County of Chatham.

I, Charles S. Hardee, Clerk of the Superior Court of Chatham County, in the said State of Georgia, do hereby certify that in said Superior Court, is pending a Bill in Equity filed

by Moses First and Paulen Straus, -co-partners under firm-name of M. First & Co., James T. Stewart, Peter Anderson, and Samuel Simpson, co partners under firm-name of Anderson & Simpson, Carl Epping, Hugh Bellas, and Henry Bauer, co-partners under firm-name of Epping, Bellas & Co., Henry A. Curiel and S. Koppel, co partners under firm name of H. A. Curiel & Co., The Mayor and Aldermen of the City of Savannah, Jacob Priest and Samuel Herman, co partners under firm-name of Priest & Herman, Sarah L. Vosburgh, Sigemund A. Schimmel, A. Kohler, Helen M. Gilleon, H. C. Bingel, Joseph Knoop, Ludwig Knoop, and John T. Hanneman, co-partners under firm name of Knoop, Hanneman & Co, David J. Berlin, Adolph J. Bendheim, Gottlieb Kaufman, and Solomon Bondy, co partners under firm name of Berlin, Bendheim & Co, J. McFrank and Gustave Eckstein, co-partners under firm name of Frank & Eckstein, Joseph Rosenheim and

Isaac Rosenheim, Co partners under firm name of Rosenheim & Co, Simon Rosenheimer, J. H. A. Nille, Henry Kyle, and J. F. Schroder against George Von Leybold, Samuel Kaufman, Henry Mayer, and Charles H. Kaufman, that in said cause Joseph Seligman, Laurence Nells, and Edmund Morgan intervened by filing their petition wherein they set forth that they are Trustees in Bankruptcy of the said Samuel Kaufman, Henry Mayer, and Charles H. Kaufman, were entitled to have the assets of the said Samuel Kaufman, Henry Mayer, and Charles H. Kaufman in the custody of the Receiver appointed by the said Superior Court of Chatham County, and prayed that they might have the same; that the said Superior Court denied the prayer of said petition; that the judgment of the said Superior Court was reversed by the Supreme Court of the State of Georgia; that the judgment

of the said Supreme Court of Georgia was upon the 10th day of February, A.D. 1877, made the judgment of the Superior Court of Chatham County, Georgia, by order in writing as follows:

In the Superior Court of Chatham County.
November Term 1876.

Joseph Seligman et al, Trustees
vs.
M. Fiest & Co., et al

It appearing to the Court by the Remittitur from the Supreme Court of Georgia filed in said cause that the judgment of this Court overruling the prayer of the petitioners in said cause to turn over to said petitioners the funds in the hands of the Receiver in the cause of M. Fiest & Co. et al., complainants, and H. Mayer & Co. et al., defendants, now pending, in this cause was reversed by said Supreme Court on the ground that the Court erred in refusing to grant the prayer of the petition. And it also appearing that said Supreme Court passed an order in said cause

as follows, "Let the funds in the hands of the Receiver be turned over to the Petitioners except so much thereof as may be legally necessary to defray the costs and expenses of collecting the fund and of securing it until the order of surrender shall be granted in pursuance of the directions now given", it is ordered that said Remittitur be spread upon the Minutes of this Court and that the judgment of said Supreme Court is made the judgment of this Court.

This 16th February, 1877.

On Motion

Abert J Cunningham

Attys for Petitioners

Henry B. Tompkins

Judge

that David J. Bohm, Adolph D. Bendheim Gotlieb Kaufman and Solomon Bondy, Complainants as aforesaid, on the 13th day of March A.D. 1877, duly sued out a writ of error to the said Superior Court of Chatham County from the Supreme Court of the United States, which was on the 13th day

of March, A. D. 1877, duly allowed by the Honorable Hiram Warner, Chief Justice of the said State of Georgia, and was filed in said Superior Court of Chatham County on the 15th day of March, A. D. 1877.

In testimony whereof I have hereunto set my hand and the seal of said Superior Court of Chatham County this 6th day of October, A. D. 1877.

(Seal)

C. S. Hardee, Clerk Superior Court Chatham Co. Georgia."

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of error, now here moved the Court in pursuance of the 4th Rule of this Court to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause to the Superi-

Court of Chatham County, State of Georgia, be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Superior Court of Chatham County, State of Georgia, to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

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825 — The Pacific Railroad of Missouri, Appellant, vs. Geo. E. Ketchum et al. | Mr. A. A. Cowdrey of counsel for the appellant, filed and submitted to the consideration of the Court petition for a Rule on the Missouri Pacific Railway Company, requiring them to show cause if any they have why a Receiver should not be appointed in this cause.

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879 — Morris Ketchum et al. vs. Appellants — Wm. J. Butler Duncan et al. | Reargument of the motion to vacate the Supersedeas in this

cause was commenced by Mr. F. N. Bangs, in support of the same, continued by Mr. P. Phillips Jr. & Mr. George Hoadley in opposition thereto, and concluded by Mr. J. A. Campbell, in favor of the motion.

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665. The Goodenough Horse Shoe Manufacturing Co. vs. Plff in Error / The Rhode Island Horse Shoe Company.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. Charles Tracy in support of the same and by Mr. A. H. Ruggles in opposition thereto

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8. Thomas E. Williams chal. vs. Appellants / John Morris, Executor of Thomas B. Florence, deceased

The argument of this cause was commenced by Mr. W. A. McCoy of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 16th, 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
Associate Justices

John F. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles M. Hornor, it is ordered that Sentinck Egan, Esquire, of New Orleans, State of Louisiana be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James H. Anderson, it is ordered that Robert H. Fillmore, Esquire, of Keokuk, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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31. Charles B. Wallace vs. Appellant
Francis D. Lonnie et al. Trustees.

33. Henrietta Davidson &c. vs. Iff in Error
The Board of Administrators of the City of New Orleans et al.
and
38. Marcus Radich vs. Iff in Error
Wm J. Hutchings et al.

Ordered, by the Court that these cases be, and the same are hereby, passed for the present, on account of sickness of counsel, subject to provisions of Section 7, Rule 16.

Tuesday, October 16th, 1877. Continued-

8— Thomas C. Williams et al vs. John Morris, Executor of Thos. B. Florence, dec'd. Appellants

The argument of this cause was continued by Mr. W. D. Davidge, of counsel for the appellees, and concluded by Mr. R. J. Merrick, of counsel for the appellants.

343— The State — Tho. Morris & Essex R.R. Co. vs. Riffin Error- James S. Yard, Commr &c.

The argument of this cause was commenced by Mr. J. G. Shipman, of counsel for the plaintiff in Error. (Mr. Jas. Bradley having been of counsel for the plff in error did not sit in this cause.)

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, October 17th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay, Esquire, Marshal.
David Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles King, it is ordered that George L. Otis, Esquire, of St. Paul, State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday October 17th, 1877, Continued

On motion first made to the Court in this behalf by Mr. M. H. Carpenter, it is ordered that James Coleman, Esquire, of Fond-du-Lac, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. E. C. Cowen, it is ordered that Francis Forbes, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Stanley Matthews, it is ordered that Ozro J. Dodds, Esquire, of Cincinnati, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James O. Broadhead it is ordered that John F. Phillips, Es-

quire, of Sedalia, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Robert A. Gillmore it is ordered that John H. Craig, Esquire, of Keokuk, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The State - The Morris & Essex Railroad Co. vs. Pfflin Error James S. Yard, Commr's.

The argument of this cause was continued by Mr. Robert Gilchrist, of counsel for the defendant in error, and concluded by Mr. F. T. Frelinghuysen, of counsel for the plaintiff in error. (Mr. Justice Bradley having been of counsel for the pff in error, did not sit in this cause.)

The Keokuk Northern Line Packet Company. vs. Plff in Error 923 The City of Keokuk.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. H. Gillmore and Mr. J. H. Anderson, of counsel for the plff in error, and by Mr. John A. Craig, for the defendant in error, under the 20th Rule.

Ex-parte: The South and North Alabama Railroad Co. 5 Original — Petitioners	The argument of the petition for a Mandamus in this cause was commenced by Mr. Thos. G. Jones in support of the petition and continued by Mr. H. A. Herbert and Mr. D. S. Troy in opposition thereto.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, October 8th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. J. A. Garfield, it is ordered that John W. Stone, Esquire, of Grand Rapids, and James H. McGowan, Esquire, of Coldwater, State of Michigan, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon. J. E. McDonald, it is ordered that Ithanan C. Devore, Esquire, of Seymour, State of Indiana, be admitted to practice as attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. J. Poppleton, it is ordered that Edward P. Johnson, Esquire, of Cheyenne, Wyoming Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that Joseph S. Stewart, Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. F. Rice it is ordered that Aristo A. Tiley, Esquire, of Montgomery,

State of Alabama, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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821. Eugene Elias Malbec de Montjoc et al vs. James L. Sterry, Appellants

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. J. Pringle and Mr. E. L. Tould, of counsel for the appellants, and by Mr. Milton Andros, for the appellee, under the 20th Rule.

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931. William Dennison, Henry T. Blow, John H. Ketchum, and The First National Bank of New York vs. Columbus Alexander, Appellants

Mr. Joseph S. Stewart, of counsel for the appellee, having filed and read in open Court the following certificate, to wit:

"Clerk's Office of the Supreme Court of the District of Columbia.

Thursday, October 8th, 1877, Continued.

Columbus Alexander
vs.
William Dennison Henry
J. Hone, John N. Ketchum,
First National Bank of
New York City

No. 4094
Equity
Docket
No. 14

This is to certify that in the above stated cause, in said Court, in the general term, on the 7th day of April, 1877, a decree was passed awarding permanent injunction against defendants at their costs from which decree the defendants in open court prayed an appeal to the Supreme Court of the United States, that on the 27th April, 1877, defendants filed petition directed to the Chief Justice Sup. Ct. U.S. praying Allocatur herein, which was on the 3d May, 1877, directed and by the said general term ordered May 30, 1877, allowed in pursuance of the law prescribed for such cases; that on the 30th May bond for such appeal was filed herein.

Witness my hand and the

(Seal) Seal of said Court, Oct. 7, 1877. R. J. Meigs C. by R. J. Meigs Jr. Asst."

and having stated that the appellants had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, now here moved the Court in pursuance of the 9th Rule of this Court to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court, that this appeal from the Supreme Court of the District of Columbia, be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite

Thursday, October 18th, 1877, Continued

Ex parte: The South and North Alabama R.R.Co. Petitioners

5 original -

The argument of the petition for a Mandamus in this cause was continued by Mr. D.S. Troy, in opposition to the petition.

The Court declined to hear further argument in the case.

Samuel G. Reed Appellant

27 - pp vs.

The Merchants Mutual Insurance Company of Baltimore

The argument of this cause was commenced by Mr. F.C. Bryant of counsel for the appellant, continued by Mr. J.A. Thomas, of counsel for the appellee, and concluded by Mr. C.B. Goodrich, for the appellant.

John L. Van Reynegan et al -

30 - vs. Plffs in Error

James C. Bolton

This cause was submitted to the consideration of the Court on the record and printed arguments by

the plaintiffs in error, and by Mr. B. S. Brooks, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, October 19th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present,

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James O. Broadhead, it is ordered that A. Comingo, Esquire, of Independence, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Friday, October 19th, 1877, Continued.

On motion first made to the Court in this behalf by Hon. Francis Kernan, it is ordered that Charles A. Birnie, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. A. Cook, it is ordered that W. A. Sutton, Esquire, of Pittsburg, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Grant, it is ordered that Rush Clark, Esquire, of Iowa City, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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934 James S. Gibbs
vs. Appellant
Wiepke Dickema, D. B.
K. VanRaalte, John Ten
Have, Dirk Miedema,
John Roost, Edward J.
Harrington, J. Vanschel-
ven, Composing a ma-
jority of the Harbor Board
of the City & Township of
Holland, for the improve-
ment of the Harbor at the
mouth of North Black
River &c. The City of Hol-
land, and The Township of
Holland & The State of
Michigan.

Mr. John N. Stone, of counsel for the appellees, having filed and read in open court the following certificate, to-wit:

"United States of America.
Western District of Michigan, ss.

I, Chester B. Kinsdill, Clerk of the Circuit Court of the United States for the Sixth Circuit, and Western District of Michigan, do hereby certify that in a certain cause pending in said Court

wherein Hiepka Diekema, Dirk B. K. Van Raalte, John Ten Have, Dirk Mulder, John Roost, Edward J. Harrington, and Gerrit Van Schelven, composing a majority of the Harbor Board of the City and Township of Holland, for the improvement of the Harbor at the mouth of North Black River in Ottawa County, and the City of Holland, and the Township of Holland in the County of Ottawa and State of Michigan, were complainants in equity, and James S. Gibbs was defendant, a final decree in said cause was made by the Court on the twenty-eighth day of November A. D. 1876, in favor of the said complainants, whereupon an appeal was prayed by the said James S. Gibbs, defendant as aforesaid, on the seventh day of December, A. D. 1876, and on the eighth day of December, A. D. 1876, the said James S. Gibbs, defendant as aforesaid, served a citation in said cause and filed in said Court a bond with sureties in the sum of Five hun-

dred dollars; and thereupon the execution of the said final decree was suspended and the said appeal has operated as a supersedeas in said cause.

In testimony whereof I have hereunto set my hand and affixed the seal of the said Circuit Court at Grand Rapids in said District this 5th day of October A.D. 1877, and of the Independence of the United States the One hundred and second.

(Seal)

Chester B. Hinsdill
Clerk.

By A. B. Carrier, Deputy.

and having stated that the appellant had altogether failed to file the record of said Cause in this Court, or in any way to prosecute said appeal, now here moved the Court, in pursuance of the 6th rule of this Court to have this appeal docketed and dismissed —

On consideration whereof it is now here ordered, adjudged, and decreed by this Court that this appeal from the Circuit Court of the United States for the Western District of Michigan be, and the same is hereby, dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

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28. Daniel Eddy et al Appellants vs. Paul Dennis

and

29. Paul Dennis Appellant vs. Daniel Eddy et al.

These cases were argued by Mr. Ezek Cowan, of counsel for Eddy et al, and by Mr. E. F. Bullard of counsel for Dennis.

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32. The Northwestern Fertilizing Co. Plff in Error vs. The Village of Hyde Park &c.

Ordered by the Court that this cause be,

and the same is hereby continued until the next term, per stipulation of counsel on file.

Charles A. Morrison 34 vs. Plff in Error P. J. Larkin, Tax Coll'r &c.	Ordered that this cause be, and the same is hereby, continued until the next term.

Henry County 37 vs. Plff in Error Albert A. Nicolay	The argument of this cause was commenced by Mr. John F. Phillips, of counsel for the plaintiff in error, and continued by Mr. James Grant, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 22d, 1877.

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that Edward L. Owen, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James C. Broadhead, it is

ordered that John C. Fuge, Esquire, of Kansas City, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. W. W. Craps it is ordered that Charles J. Noyes and Patrick A. Collins, Esquires, of Boston, State of Massachusetts, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. W. A. Maury it is ordered that A. M. Keiley, Esquire, of Richmond State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Monday, October 22d, 87, Continued—

Elon G. Pratt and
Elias W. Fox
20. vs. Plffs in Error
The Grand Trunk
Railway Company
of Canada.

In Error to the
Circuit Court
of the United
States for the Eastern
District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Michigan, and was argued by counsel— On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Hunt.

The Keystone Bridge
Company
2. vs. Appellant
The Phoenix Iron Company.

Appeal from
the Circuit
Court of the
United States
for the Eastern
District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Bradley

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13. Edwin H. Hatch vs. Thomas B. Coddington | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment

of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Strong.

Gideon Pullman and John S. Shaw et al. vs. Charles E. Bill, Trustee.	Appeal from the Circuit Court of the United States for the District of Indiana.

3.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

(Mr. Justice Hunt did not sit in this cause and took no part in its decision.)

William K. McMillen		In Error to the
12	vs.	Supreme Court of the
Robert K. Anderson.	In Error	State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Miller

The New Orleans Canal &		Appeal from the
Banking Company et al		Circuit Court of
21.	vs. Appellants.	the United States
A. B. Montgomery et al.		for the Southern
		District of Missi-

ssippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern

District of Mississippi, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this Cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Swayne.

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11. John Good vs. Riffin Error / Ida Martin | In Error to the Supreme Court of the Territory of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Colorado, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby,

affirmed with costs. And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Colorado.

Per Mr. Justice Clifford

The Grand Trunk Railway Company of Canada, Plff in Error, vs. Jesse N. Whitehouse, Administrator of Samuel D. Whitehouse, deceased

799 — In Error to the Circuit Court of the United States for the District of Maine

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine and on the motion of Mr. C. H. Goddard, of counsel for the defendant in error, to dismiss, which was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite

The Indianapolis & St Louis Railroad Company
896- vs. Appellant
J. L. Vance, Collector &c.
and
The Indianapolis & St Louis Railroad Company
897- vs. Appellant
J. L. Vance, Collector &c.

On consideration of the motion of Mr. J. K. Edsall, it is ordered that these cases be advanced. If the parties cannot agree upon a day for the hearing, the Court will make such further order as may appear to be necessary upon being moved in that behalf—

per Mr. Chief Justice Waite—

Henry Hanenstein et al.
689- vs. Plffs in Error—
Jno. A. Lynham, Escheator &c.

On consideration of the motion of Mr. W. L. Royall to advance this cause, it appearing to the Court that no question of general public interest is involved, it is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite—

203- The City of Elizabeth et al Appellants vs. The American Nicolson Pavement Company. } Motion for an order directing that the printing of the record be completed.

The Clerk is hereby directed to cause the exhibits, mentioned in the stipulation in this cause filed in support of this motion, to be printed as part of the record so soon as he shall be supplied with money to meet the expense either by Government appropriations or by the parties - The cause will not be heard until this printing is done.

per Mr. Chief Justice Waite

799- The Grand Trunk Railway Company of Canada. vs. Jesse N. Whitehouse, Admr. } On motion of Mr. C. W. Goddard, it is ordered by the Court that leave be and the same is hereby, granted the Clerk to issue the Mandate in this cause -

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48	N. F. Drake vs. Appellant The Exchange & Deposit Bank of Knoxville.	On motion of Mr. P. Phillips it is ordered that this cause be passed on account of sickness of counsel, subject to provisions of section seven rule 22.

639	The Nonconnah Turnpike Co. et al. vs. Plffs in Error The State Exrel: A. J. Talley et al.	The motion to dismiss these cases was submitted to the consideration of the Court on printed arguments by Messrs. Pike and Johnson, in support of the same, and by Messrs. Shellabarger and Wilson in opposition thereto
640	The Nonconnah Turnpike Co. et al vs. Plffs in Error The State Exrel: A. S. Talley et al.	
	and	
641	The Nonconnah Turnpike Co. et al vs. Plffs in Error The State Exrel: A. S. Talley et al.	

John Young, Trustee in Bankruptcy of Alexander Collie. vs. The United States. Appellant.

781

Mr. J. H. Ashton of counsel for the appellant suggested a diminution of the record and filed motion, and affidavits in support of the same, for a writ of certiorari in this cause.

Russell Sage et al vs. The Central Railroad Co. of Iowa. Appellants

On consideration of the motion of Mr. J. H. B. Latrobe to docket and dismiss this appeal in pursuance of the 9th Rule, it is ordered that said motion be, and the same is hereby, denied - and that leave be granted the appellants to file the record and docket the case upon payment of costs.

per Mr. Chief Justice Waite

Wm. F. Cochrane et al. vs. Appellants Josiah M. Deneve et al.

714 & 715 & 716.

On motion of Mr. H. C. Strawbridge it is ordered that

the time for filing the motion papers and for the hearing of the motion to set aside decree &c, in this cause be, and the same is hereby, extended until Monday the 29th instant.

37- Henry County vs. Plff in Error. Albert N. Nicolay

The argument of this cause was continued by Mr. James Grant, of counsel for the defendant in error, and concluded by Mr. Jas. O. Broadhead, for the plaintiff in error.

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39. Harvey Ferry et al vs. Appellants E.C. Anderson Jr. et al and Harvey Ferry 655- vs. Plff in Error. Thomas M. Cooley

The argument of these cases was commenced by Mr. H. Ferry in behalf of himself.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, October 23d, 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice,

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Thomas Wilson, it is ordered that William A. Beck, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Tuesday, October 23d, 1877, Continued.

On motion first made to the Court in this behalf by Mr. H. Pierce Bell it is ordered that Hiram A. Fletcher, Esquire, of Grand Rapids, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James O. Broadhead it is ordered that Edward T. Farish, Esquire, of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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39 Harvey Ferry et al Appellants vs. E. C. Anderson Jr., et al

and

653 Harvey Ferry Plff in Error vs. Thomas H. Caskey

These causes were further argued by Mr. Ferry in behalf of himself and submitted on printed arguments of counsel for the appellants in No. 39, by Mr. H. K.

Jackson for the appellees in the same case; and by Mr. Hull for the defendant in error in No. 655.

No. 40. William Roemer vs. Edward Simon et al. Appellant

This cause was argued by Mr. A. J. Brieser, of counsel for the appellant, and by Mr. F. N. Betts, for the appellees.

No. 41. The Union Pacific R.R. Co. vs. Thomas C. Durant et ux. Appellant

The argument of this cause was commenced by Mr. A. J. Poppleton of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, October 24th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
Associate Justices.

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Walter H. Smith, it is ordered that Frank A. Hurd, Esquire, of Toledo, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr T. J. Durant, it is ordered that

Sidney T. Thomas, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

William A. Cook and Enoch Totten vs. Charles F. Hilley, Robert Campbell, William Lilley, Geo. N. Bullock, District of Columbia, Wm. Dennison, John H. Ketcham, S. L. Phelps, J. M. Broadhead, R. H. Taylor, and F. Coyle.

Mr. Sidney T. Thomas presented the certificate of the Clerk and moved the Court, in pursuance of the 9th rule of this Court, to have this appeal docketed and dismissed — Whereupon this Court not being now here sufficiently advised of and concerning what order to render in the premises took time to consider.—

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952 — Albert Grant vs. William H. Hunt's & Horatio Browning. Appellant

Mr. S. T. Thomas of counsel for the appellees having filed and read in open Court the

following certificate, to wit:

"In the Supreme Court of the District of Columbia, the 23d day of October, 1877.

William H. Hunstis & Horatio Browning vs. Albert Grant, Edward McGuandet, Halbert E. Paine, R. W. Dowman, Williams Loughbridge, Enoch Totten, Winfield S. Fletcher, Henry S. Davis, John Sullivan. } In Equity No. 2,640 Docket 11.

I, Return J. Meigs, Clerk of the Supreme Court of the District of Columbia, hereby certify that on the 12th day of June, 1876, the said Supreme Court of the District of Columbia made a final decree in the above entitled cause, from which decree the defendant Albert Grant, by Mr. W. A. McCoy, his counsel, in open court, then prayed an appeal to the Supreme Court of the United States, which appeal was allowed by the Court.

In testimony whereof I hereunto subscribe my name

and affix the seal of the said Supreme Court of the District of Columbia the day and year aforesaid.

(Seal)

R. Jullige
Clerk."

and having stated that the appellant had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, now here moved the Court, in pursuance of the 6th rule of this Court, to have this appeal docketed and dismissed - On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal from the Supreme Court of the District of Columbia be, and the same is hereby, docketed and dismissed with costs - And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite

41- The Union Pacific Railroad Company vs. Thomas C. Durant et al. Appellant

The argument of this cause was continued by Mr. A. J. Poppleton, of counsel for the appellant, by Mr. J. M. Woolworth, for the appellees, and concluded by Mr. Poppleton, for the appellant.

42- The Union Pacific Railroad Company vs. Daniel Sullivan Plff in Error

The argument of this cause was commenced by Mr. A. J. Poppleton, of counsel for the plaintiff in error.

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42. The Union Pacific Railroad Company vs. Daniel Sullivan Plff in Error

In Error to the Circuit Court of the United States for the District of Nebraska

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and it appearing to the

Court upon an examination of the record that no final judgment has been entered by said Circuit Court - It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite

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112. The Union Pacific Railroad Company vs. Piffin in Error Daniel Sullivan.

Ordered that leave be granted the plaintiff in error to withdraw from the files the transcript of record in this cause on leaving with the Clerk a receipt for the same.

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113. The Phenix Insurance Company of Brooklyn vs. Piffin Error Wm. H. Lanier et al.

The argument of this cause was commenced by Mr. N. H. Phillips, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, October 25th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon. Stanley Matthews it is ordered that Henry L. Dickey, Esquire, of Greenfield, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thursday, October 25th, 1877. Continued

54. John Milner Jr. vs. Appellant Wm. M. Meek, Assignee &c. | Mr. Henry L. Dickey of counsel for the appellee filed motion to dismiss this cause for want of jurisdiction.

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113. The Phenix Insurance Company of Brooklyn vs. Plff in Error Wm H. Lamier et al. | This cause was further argued by Mr. Wm H. Phillips and Mr. P. Phillips of counsel for the plaintiff in error, and submitted on printed arguments by Mr. Julian Hartridge and Mr. Rufus E. Lester, of counsel for the defendants in error.

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111. The New York Life Ins. Co. vs. Plff in Error William P. Davis and Guadalupe Thompson, Admix &c. 47. vs. Appellants The Maxwell Land Grant & Railroad Company. | Ordered by the Court that these cases be passed until Monday next on account of sickness of counsel

Thursday, October 25th, 1877, Continued.

45.	John McHenry et al. Assignees &c vs. Plffs in Error La Societe Francaise, D'Epargnes et de Prevoyance Mutuelle.	This cause was argued by Mr. P. J. Durant, of counsel for the plaintiffs in error, and submitted on printed arguments by Mr. E. L. Goold, for the defendant in error.

46.	A. G. Adams & Co. et al vs. Plffs in Error The Mayor &c of Nashville.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Edward Baxter, of counsel for the plaintiffs in error, and by Mr. J. E. Bailey, for the defendants in error.

47.	The Western Union Telegraph Company vs. Plff in Error F. J. Mayer, Treasurer of Hamilton County, Ohio.	In Error to the Circuit Court of the United States for the Southern District of Ohio

Thursday, October 25th, 1877, Continued-

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and on the authority of counsel for the plaintiff in error; it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs-

per Mr. Chief Justice Waite

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50. James L. Beard vs. Pfflin Error Joseph L. Burtis

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. G. Riddle, of counsel for the plaintiff in error, and by Mr. R. G. Ingersoll, for the defendant in error.

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38. Marcus Radich vs. Pfflin Error Wm. J. Hutchins et al.

This cause was argued by Mr. T. J. Durant, of counsel for the plaintiff in error, and by Mr. P. Phillips, for the

defendants in error.

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51. The Lake Shore & Michigan Southern Railway Company vs. Peter Rose, Collector &c. Plff in Error

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Mason and Messrs. Shellabarger & Wilson, of counsel for the plaintiff in error, and by Mr. Solicitor-General Phillips, of counsel for the defendant in error.

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52. Titus Buffington vs. Chas. D. Harvey, Assignee &c. Appellant

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Thos. J. Henderson, of counsel for the appellant. No counsel appearing for the appellee.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Friday, October 26th, 1877

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Stanley Matthews it is ordered that Josiah H. Drummond, Esquire, of Portland, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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58 Peter B. Amory vs. Plff in Error
S. B. Amory et al, Executors &c.
and
59. Peter B. Amory vs. Plff in Error
S. B. Amory et al, Executors &c.

On motion of Mr. Coleman it is ordered that these cases be passed until Monday next on account of sickness of counsel.

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53. William Penny vs. Appellant
Solomon Langdon et al.

On motion of Mr. Stanley Matthews it is ordered that this case be passed subject to provision of Section 7, Rule 16.

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954. The Monarch Gold & Silver Mining Company vs. Plff in Error
Peter McLaughlin, John Tonkin & A. Hall.

Mr. R. P. Lowe of counsel for the defendants in error having filed and read in open Court the following Certificate, to wit:

"In Supreme Court of Idaho Territory
The Monarch Gold
and Silver

Mining Company
Plaintiff & Appellant.
vs.
Peter McLaughlin, John
Tonkin, and A. Hall.
Defendants & Respondents.

I, Alonzo L. Richardson, do hereby certify that I am the Clerk of the Supreme Court of Idaho Territory, and that on the 17th day of January, A.D. 1877, a judgment was made and entered in the said Supreme Court of Idaho Territory affirming with costs the judgment of the District Court of the Second Judicial District of Idaho Territory in and for the County of Alturas, in the cause wherein the Monarch Gold and Silver Mining Company was plaintiff and Peter McLaughlin, John Tonkin, and A. Hall were defendants in said District Court, and wherein in this Court The Monarch Gold & Silver Mining Company was appellant, and Peter McLaughlin, John Tonkin and A. Hall, Respondents. That on the 6th day of February, A.D. 1877, a writ of error from

said judgment of affirmance in said cause by the Supreme Court of Idaho Territory was duly issued out and allowed in said cause to the Supreme Court of the United States by the said Monarch Gold and Silver Mining Company appellant in said cause in the Supreme Court of Idaho Territory to reverse the judgment of the Supreme Court of said Territory.

That neither the said Monarch Gold and Silver Mining Company, nor anyone in its behalf, has applied for a transcript of the record in said cause for the Supreme Court of the United States.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said Supreme Court of the Territory of Idaho at Boise City, I.T. this 9th day of October, A.D. 1877.

(Seal)

Henry L. Richardson
Clerk."

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, now here moved the Court in pursuance of the 9th Rule of this Court to have the writ of error in this cause docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of Idaho Territory be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr Chief Justice Waite

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514 John S. Milner Jr. vs. H. C. Heck, Assignee. | This cause was argued by Mr. Stanley Matthews of counsel for the appellant, submitted on printed arguments by Mr. J. B. Foraker also of counsel

for the appellant, and by Mr. H. L. Dickey, of counsel for the appellees, on the motion to dismiss the appeal for the want of jurisdiction.

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56. C. P. Choulean et al vs. The United States — Appellants

The argument of this cause was commenced by Mr. Edward Lander of counsel for the appellants, continued by Mr. Asst. Atty. Gen. Smith, of counsel for the appellee, and concluded by Mr. A. L. Merriman, for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, October 29th, 1877

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Smith, it is ordered that Lucilius A. Emery, Esquire, of Ellsworth, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. A. A. Sargent, it is ordered that Thomas Wren, Esquire, of Eureka, State of Nevada, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Lowndes it is ordered that E. J. D. Cross, Esquire, of Baltimore, State of Maryland, and Meiko L. Woods, Esquire, of Montgomery, State of Alabama, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips it is ordered that James A. Mandeville, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. D. McPherson it is ordered that O. P. Shiras, Esquire, of Dubuque, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Daniel Eddy, Hulden Eddy, and Hiram Reynolds, Appellants,
vs.
Paul Dennie,
and
Paul Dennis, Appellant.
vs.
Daniel Eddy, Hulden Eddy and Hiram Reynolds.

Appeals from the Circuit Court of the United States for the Northern District of New York.

These causes came on to be heard on the transcripts of the record from the Circuit Court of the United States for the Northern District of New York, and were argued by counsel. On consideration whereof, it is now hereordered, adjudged, and decreed by this Court that the decree of the

said Circuit Court in these causes be, and the same is hereby, reversed. And that these causes be, and the same are hereby, remanded to the said Circuit Court with directions to enter a decree for the defendants dismissing the bill of complaint with costs. Costs in this Court to be paid by the complainant, Paul Dennis.

Per Mr. Justice Hunt.

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27. Samuel G. Reed vs. The Merchants Mutual Insurance Company of Baltimore. | Appeal from the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs. Per Mr. Justice Bradley.

John L. VanReynegan, Jonathan Bickerstaff, R. S. Brown, David Gingan, James Cunningis, Peter Sudner, Louis Denos, Francisca Angenette, Mart Tierney, Edward Hammouck, and Victor Garnon.

30. vs. Plaintiffs in Error.

James C. Bolton.

In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

The State of New Jersey—
The Morris & Essex R.R. Co.,
prosecutors—
343. vs. Plaintiff in Error
James S. Yard, Commissioner
of Railroad Taxation of the
State of New Jersey.

In Error to the
Court of Errors
and Appeals
for the State of
New Jersey.

This cause came on to be heard on the transcript of the record from the Court of Errors and Appeals for the State of New Jersey, and was argued by counsel—

On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Errors & Appeals in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Court of Errors & Appeals for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Miller.

Mr. Justice Bradley did not sit on the argument of this cause and took no part in the decision.

Monday, October 9th, 1877, Continued

380	Joseph Shields vs. Riffin in Error to the State of Ohio.	In Error to the Supreme Court of the State of Ohio.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Ohio, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Swayne

Dissenting:
Mr. Justice Strong
" " Field.

Mr. Chief Justice Waite did not sit on the argument of this cause and took no part in the decision.

Monday, October 29th, 1877, Continued

Thomas E. Williams et al vs. Appellants, John Morris, Executor of Thomas D. Florence, de ceased, et al.	Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court with direction to enter a decree in favor of the complainants, and for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Clifford,

Dissenting:
Mr Justice Bradley
" " Field.

Ex parte: The South & North Alabama R.R.Co.

5. Original. Petitioners.

In the matter of
Samuel A. Strang et al.
vs.
The Montgomery & Eufaula R.R.Co.
and
Mason Young et al.
vs.
The Montgomery & Eufaula R.R.Co. et al.

This cause came on to be heard on the petition and mailes and things therein appearing, and the admission of Counsel for the Honorable William B. Woods, Judge of the Fifth Judicial Circuit of the United States, who appeared for him, waived the issue of any rule to show cause, and agreed that if petitioner upon the matters and things set forth in said petition, and the mailes and things appearing in the transcript of the record of said causes of Samuel A. Strang vs. The Montgomery & Eufaula R.R.Co. et al., both on original & cross bill, & also of the cause of Mason Young et al, vs. The Montgomery & Eufaula R.R.Co. et al., was in law entitled to a Mandamus as prayed for, that the

peremptory writ of Mandamus might issue in the first instance - And said petition having been argued by counsel, On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that a writ of peremptory Mandamus issue from this Court directed to the Hon. Wm. B. Woods, Judge of the Circuit Court of the United States for the Middle District of Alabama, as well as to said Circuit Court, requiring and commanding him, as well as said Court, to allow an appeal in behalf of said South & North Alabama R.R. Co. from the final decree entered in said cause on the 3d day of July, A.D. 1877, as of that date, and upon such allowance to approve of satisfactory security for a Supersedeas as of the same date, if offered.

Per Mr. Chief Justice Waite

8/9 Morris Ketchum et al. vs. William B. Dinsmore et al. Appellants

On consideration of the motion to vacate the Supersedeas in this cause and of the argument of counsel thereupon

had as well in support of as against the same, it is ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

The Pacific Railroad of Missouri,
825 vs. Appellant
Geo. E. Kelchum et al.

On consideration of the motion of Mr. S. A. Cowdrey for a rule on the Missouri Pacific Railroad requiring it to show cause, if any it has, why a Receiver should not be appointed and of the argument thereupon had in support of said motion, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite.

Ex parte: The Philadelphia Steam Propeller Company et al.
H original— Petitioners

On consideration of the petition for a writ of prohibition in this cause and of the argument of counsel thereupon had as well in support of, as against the same, it is now here ordered

by the Court that said petition be, and the same is hereby, denied.

By a divided Court.

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39. Harvey Ferry, Joshua Grant and Thomas Grant, Appellants, vs. Edward C. Anderson Jr., Edward C. Anderson Jr., Executor of George N. Anderson, deceased, C. H. Baynard, Robt H. Flournoy, L. B. Knapp, Andrew Low Jr., H. H. Cuyler, Jno C. Nicholl, William Robinson, Mary Telfair, Thos. A. Harden, & H. H. Mercer. Appeal from the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

655. Harvey Jenny vs. Iff in Error. Thomas H. Cooksey. | In Error to the Circuit Court of the United States for the Southern District of Georgia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

Wm. H. Cook and Enoch Fuller vs. Charles F. Tilley et al. | On consideration of the motion of Mr. Sidney T. Thomas to docket and dismiss this cause in pursuance of the 6th rule, it is ordered that said motion be, and the same is hereby, denied. And that leave be granted the appellants to file the record and docket their cause.

1118. The Cherokee R.R.Co. et al. vs. Jas. Appellants, Nelson Sappan, trustee. | On motion of Mr. J. D. McPherson leave is hereby granted the Clerk to issue the Mandate in this cause.

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595. George Hagar &c. vs. Reff in Error. The People of the State of California. | The motion to dismiss this cause was fully submitted to the consideration of the Court on the record and printed arguments by Mr. C. A. Sargent in support of the same, and by Mr. McBlair in opposition thereto.

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744 of 1876. William H. Cook and et al vs. Josiah H. Keener et al. Appellants, | Pursuant to the order entered herein on the 15th day of October, Mr. George Harding appeared and obtained leave of the Court to file the motion papers to set aside the decree &c, in this cause.

962

James E. Power and wife, Elizabeth Marion Power, James S. Power, Newton and wife, Jessie M. Power, Moses T. Parker and wife Virginia Loftus Parker, Appellants,
vs.
James J. & Samuel T. Davis Executors of James G. Davis, dec'd, Mary M., George J., Wm. B. S., Edward P., Hattie V., and Henry G. Davis,

Mr. James G. Payne, of Counsel for the appellees having filed and read in open Court the following Certificate, to wit:

"Clerk's Office Supreme Court of the District of Columbia.
October 29th, 1877

Power, James E. and wife Elizabeth
" Marion
" James S.
Newton ——— and wife Jessie M. Power.
Parker, Moses T. and wife Virginia
" Loftus
vs.
Davis, James J. and Samuel T., Exrs
Mary M., George J., William B. S.,
Edward P., Hattie V., Henry G.

No. 4704 Equity Docket No. 15.

This will certify, that on the 4th June, 1877, in said Court, in General Term, in the above stated cause, a decree dismissing the original and amended bills therein was passed, from which decree the complainants prayed and were allowed their appeal to the Supreme Court of the United States, on the said 4th June, 1877.

Witness my hand and the seal of said Court day and year aforesaid.

(Seal)

R. J. Meigs, Clerk S.C. U.S.
by R. J. Meigs Jr. Asst Clk "

and having stated that the appellants had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said appeal, now here moved the Court, in pursuance of the 9th Rule of this Court, to have this appeal docketed and dismissed - On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal from the Supreme Court of the District of Columbia

be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

1000. Philemon B. Hawkins, Appellant
vs.
The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Enoch Totten, of counsel for the appellant, and by Mr. Assistant Attorney General Smith, for the appellee, under the 10th Rule.

1000. Bochm, Bendheim & Co., Plffs in Error,
vs.
Joseph Seligman et al.

On motion of Mr. C. A. Peabody leave is hereby granted the Clerk to issue the Mandate in this cause.

J. D. T. McAllister. 156. vs. Affin Error Bertrand Kuhn.	The motion to dismiss or affirm this cause was submitted to the consideration of the Court on printed arguments by Mr. J. H. Vanderlip in support of the same and by Mr. Z. Snow in opposition thereto.

The New York Life Ins. Co. 146. vs. Affin Error William S. Davis, and Guadalupe Thompson Admx &c. 147. vs. Appellants The Maxwell Land Grant & R. R. Co.	Ordered by the Court that these cases be passed subject to provisions of Section 7, Rule 16.

The Brooklyn Life Ins. Co. of New York. 57. vs. Appellant C. O. & A. C. Dutcher.	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. James C. Broadhead of counsel for the appellant. to

Monday, October 29th. 1877, Continued-

Counsel appearing for the appellees.

Peter B. Amory
58. vs. Pltff in Error
S. B. Amory et al. Exrs &
and
Peter B. Amory
59. vs. Pltff in Error
S. B. Amory et al Exrs &c

Ordered by the Court that these cases be passed subject to provisions of Section 7, Rule 26.

George E. Mattingly et al.
62. vs. Appellants
The Dist of Columbia et al.

On motion of Mr. T. A. Lambert, ordered that this cause be passed until No. 531 is reached in the regular call of the docket.

The County of Cass
60. vs. Pltff in Error
William A. Johnson

The argument of this cause was commenced by Mr. Jno. C. Gage, of Counsel for the plaintiff in error and continued by Mr. J. B. Henderson for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock M.

Tuesday, October 30th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.

} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Walter S. Cox it is ordered that James M. Johnston Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Tuesday, October 30th, 1877, Continued

On motion first made to the Court in this behalf by Mr. Willard P. Hall, it is ordered that H. M. Pollard, Esquire, of Chillicothe, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. William L. Royall it is ordered that Thomas F. Kirkpatrick, Esquire, of Lynchburgh, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

611.	The County of Cass vs. Plff in Error Wm. A. Johnson.	The argument of this cause was continued by Mr. J. B. Henderson, of counsel for the

defendant in error, and concluded by Mr. Willard P. Hall, of counsel for the plaintiff in error.

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303. The County of Cass vs. Kiffin Error Elizabeth J. Jordan

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Willard P. Hall of counsel for the plaintiff in error, and by Mr. A. K. Hunter and Mr. J. B. Henderson for the defendant in error.

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61. The County of Cass vs. Kiffin Error James F. Wares

The argument of this cause was commenced by Mr. John C. Cage of counsel for the plaintiff in error, continued by Mr. J. K. Sweeney of counsel for the defendant in error, and concluded by Mr. Willard P. Hall for the plaintiff in error.

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64. The United States vs. Plaintiff William Bruce

This cause was argued by Mr. Solicitor General Phillips of counsel for the plaintiff - No counsel appearing for the defendant

Wednesday October 31st. 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon. Francis Kernan it is ordered that Joseph Mullin Junior, of Watertown, Jefferson County, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. H. Willoughby it is ordered that Jno. H. Shields, Esquire, of Richmond, State of Virginia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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165 Thomas J. Megibben
James K. Megibben, Joseph
Strachan & Thos. D. Strachan
vs. Appeal from
The United States.

Mr. Assistant Attorney General Smith for the defendant in error, having filed copies of the writ of error, citation, and bond in this cause duly certified by the Clerk under the seal of the Circuit Court of the United States for the District of Kentucky, and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, now here moved the Court, in pursuance of the 9th rule of this Court, to have this writ of error docketed and dismissed — On consideration whereof, it is now here ordered and

judged by this Court that the writ of error in this cause to the Circuit Court of the United States for the District of Kentucky be, and the same is hereby dismissed. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

James J. Magibben, James K. Magibben, James H. Bay, & Henry C. Meacham. vs. Jeffries Ewing & The United States.

1869.

Mr. Assistant Attorney General Smith, of counsel for the defendant in error, having filed a certificate together with a copy of the writ of error bond in this cause duly certified by the Clerk under the seal of the Circuit Court of the United States for the District of Kentucky, and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said

writ of error, now here moved the Court, in pursuance of the 9th rule of this Court, to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the District of Kentucky be, and the same is hereby, docketed and dismissed. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr Chief Justice Taney

1770. Thomas J. Megibben James K. Megibben James H. Gray, & Henry E. Strachan. vs. Error to The United States.

Mr Assistant Attorney General Smith, of counsel for the defendant in error, having filed a certificate together with a copy of the bond and citation in this cause duly certified by the Clerk under the

suit of the Circuit Court of the United States for the District of Kentucky, and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court as in duty bound to prosecute said writ of error, now here moved the Court, in pursuance of the 16th rule of the Court, to have the writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the District of Kentucky be, and the same is hereby docketed and dismissed. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite

971	Thomas J. Hogibben vs. Writ of Error The United States	Mr. Assistant Attorney General Smith, of counsel for the defendant in error, having filed a certificate of the Clerk together with a copy of the writ of Error and in the cause duly certified by the Clerk under the seal of the Circuit Court of the United States for the District of Kentucky and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error as he has moved the Court in pursuance of the 6th Rule of this Court to have this writ of error docketed and dismissed. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the District of Kentucky be, and the same is hereby, docketed and dismissed. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Thomas P. Megibben, James K. Megibben, Joseph Shanklin, and Ann C. Shanklin, Plffs in Error, vs. The United States.

Mr. Assistant Attorney General Smith, of counsel for the defendant in error having filed a certificate together with copies of the writ of error bond and citation in this cause duly certified by the Clerk under the seal of the Circuit Court of the United States for the District of Kentucky, and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute said writ of error, now here moved the Court, in pursuance of the 9th rule of this Court, to have this writ of error docketed and dismissed - On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the District of Kentucky be, and the same is hereby, docketed and dismissed - And that this cause be, and the same

is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Taney.

J. J. Magibben Exor &c.	Mr. Assistant Attorney General Smith of Counsel for the defendant in error, having
R. Cook & D. L. Ashbrook	
975. vs. Nysin Exor	
The United States	

filed a certificate together with copies of the writ of error bond and citation in this cause duly certified by the Clerk under the seal of the Circuit Court of the United States for the District of Kentucky, and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, now here moved the Court, in pursuance of the 9th rule of this Court, to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this

cause to the Circuit Court of the United States for the District of Kentucky be, and the same is hereby, docketed and dismissed ——— And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite

Thomas J. Megibben,
Thomas K. Ashbrook,
& Wm Cyrus B. Cook,
Pltfs in Error
vs.
The United States.

Mr. Assistant Attorney General Smith, of counsel for the defendant in error, having filed a certificate together with a copy of the writ of Error bond in this cause duly certified by the Clerk under the seal of the Circuit Court of the United States for the District of Kentucky, and having stated that the plaintiffs in error had allogether failed to file the record of said cause in this Court or in anyway to prosecute said writ of Error, now here moved

the Court, in pursuance of the 4th rule of this Court to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the District of Kentucky be, and the same is hereby, docketed and dismissed. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite

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67 Ellen Hallett et al vs. Appellants
The Kansas Pacific Railway Company.

Mr. J. B. Stewart suggested the death of Ellen Hallett one of the appellants in this cause, and moved the Court that the cause be continued until the next term with leave to make proper parties. Whereupon it is ordered that this cause be passed until the representatives of

the said Ellen Hallett, deceased, shall be entered and made parties appellant in this cause.

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65 John Preston, junior vs. Appellant
Thomas L. Preston et al.

This cause was argued by Mr. Wm. L. Royall, of counsel for the appellant, and by Mr. Thomas J. Kirkpatrick, of counsel for the appellees.

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66. The First Philadelphia Bank vs. Plff in Error
Samuel Dickson Defendant

This cause was argued by Mr. C. H. Hornor, of counsel for the plaintiff in error, and by Mr. Samuel Dickson, for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday November 1st, 1877

Pursuant to adjournment the Court met to-day at the Capitol

Present—

The Honorable Morrison R. Waite, Chief justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate justices

John G. Nicolay, Esquire, Marshal
Daniel Risley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. C. K. Horner, it is ordered that F. B. Earhart, Esquire, of St. Charles Parish, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. George S. Knight, it is ordered that Orrin Skinner, Esquire, of Chicago, State of Illinois, and Richard D. Minick, Esquire, of Virginia, State of Nevada, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

2147 Washington Libby vs. Plff in Error
Clark H. Upton, Assignee in Bankruptcy of the Great Western Insurance Company, a Bankrupt

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the stipulation of counsel on file, and motion of Mr. Thomas Wilson, in behalf of counsel, It is now here ordered and adjudged by this Court that the

judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

Per Mr. Chief Justice Waite

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247 - Washington Libby vs. Hiram Emery, C. H. Upton, Assignee in Bankruptcy of the Great Western Insurance Co., a Bankrupt

On motion of Mr. Thomas Wilson leave is hereby granted the Clerk to issue the Mandate in this cause

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68 - The Merchants National Bank of Cincinnati, vs. Appellant - Theo. Cook et al Trustees

The cause was argued by Mr. Stanley Matthews, of Counsel for the appellant, and by Mr. E. M. Johnson, for the appellees

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69 - Elijah S. Alvord vs. Appellant The United States

The argument of this cause was commenced by Mr. Thomas

Nelson, of counsel for the appellant, continued by Mr. Solicitor General Phillips, of counsel for the appellee, and concluded by Mr. J. M. Nelson, of counsel for the appellant.

77

The Brig "Mary Knowlton" her tackle &c. Michael K. Nelson, Claimant-Appellant vs. The United States

Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and it appearing to the Court from the statement on file that the matters in controversy in this cause have been agreed and settled between the parties, and on the motion of Mr. Solicitor General Phillips, of counsel for the appellee, it is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed. per Mr. Chief Justice Waite.

Wm. McGranahan 72. vs. Iffin Enos The New Idria Mining Company.	Ordered by the Court that this cause be, and the same is hereby, passed on account of sickness of counsel.
The Chicago and Alton Railroad Co. 538. vs. Appellant Samuel N. Turrill and The Chicago, Burlington & Quincy R.R. Co. 539. vs. Appellant Samuel N. Turrill	The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. F. H. Kales, in support of the same, and by Mr. George Payson, in opposition thereto.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, November 2d, 1877.

Pursuant to adjournment the Court met
to day at the Capitol.

Present,

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate justices

John G. Nicolay, Esquire, Marshal.
Daniel Tuley Middleton, Clerk.

Proclamation being made the Court
is opened.

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70 Elizabeth C. Cuddihal
vs. Kipp in Error
The Washington Hospital
for Foundlings.

The argument of the cause was commenced by Mr. C. K. Barrett, of counsel for the plaintiff in error, continued by Mr. Jas. M. Johnston and Mr. Walter S. Cox, of counsel for the defendant

in error, and concluded by Mr. D. F. Patten for the plaintiff in error.

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73 The Continental Improvement Company — vs. Iliff in Error — Joseph S. Card,

This cause was submitted to the consideration of the Court on the record and printed arguments by Hughes, O'Brien, Smiley, of counsel for the plaintiff in error, and by Mr. J. V. Coombs, for the defendant in error.

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74. Samuel F. Craig — vs. Appellant — Jacob Smith et al.

Ordered by the Court that this cause be passed for the present, to be taken up under motion of Mr. [illegible]

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75. The Charter Oak Life Insurance Company. — vs. Iliff in Error — Emma K. Reed

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Sawyer

Knox, of counsel for the plaintiff in error, and by Mr. J. L. S. Bryden, of counsel for the defendant in error.

76	Thomas L. Clarke vs. The United States,	Appellant	On motion of Mr. E. Foltz and consent of counsel, it is ordered that this cause be substituted for No. 77 and vice versa.

77	Talmadge E. Brown vs. The County of Buena Vista.	Appellant	The argument of this cause was commenced by Mr. George F. Wright, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 5th, 1877

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire Marshal,
Daniel Nestor Middleton, Clerk.

Proclamation being made the Court took

A. T. Adams & Co., A. S. Buckner, Trustee of J. Bloomstein et al. vs. Plff's in Error
No. 17 The Mayor & City Council of Nashville, Tennessee

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the

Supreme Court of the State of Tennessee and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Hunt

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37 Henry County vs. Kiffin Error
Albert H. Bradley

In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed, with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Justice Bradley

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52. Silas Buffington, Appellant, v. Charles D. Harvey, Assignee of Isaac Fitzgerald, a Bankrupt | Appeal from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice Bradley.

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423. The Keokuk Northern Line Packet Company, Plff in Error, v. The City of Keokuk | In Error to the Supreme Court of the State of Iowa.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Iowa and

was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr Justice Strong.

The Phenix Insurance Co. of Brooklyn vs Pliffin Exor Wm H. Lanier & Wm. M. Lanier vs W. H. Lanier & Co.	In Error to the Circuit Court of the United States for the Southern District of Georgia.

113.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Georgia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of

Monday November 5th 1877 Conference

Georgia.

per Mr Justice Strong

The Hope Mutual Life Insurance Co of the City of N.Y.	In Error to the Circuit Court of the United States for the Eastern District of Missouri
35 vs.	
Ryan Exor	
Marcus A. Wolf, Executor of Eliza Garber deceased.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Field,

Charles P. Chouteau, surviving partner of the firm of Chouteau, Harrison & Valle, and William A. Slack
56 vs. Appellants
The United States,

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Miller.

Eugene Elias Malbec, de Montjoe, Marquis de Brigadal
591 vs. Appellants
James L. Sperry

Appeal from the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller

The Union Pacific Railroad Company vs. Appellant Thomas C. Durant et al	Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed, with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court

with directions to enter a decree in favor of the complainant.

per Mr. Justice Swayne.

Lake Shore & Michigan Southern Railway Company		In Error to the Circuit Court of the United States for the Northern
61	vs. In Error	
Peter Rose, Collector &c.		

District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Swayne

Mr. Chief Justice Waite did not sit in this cause and took no part in the decision.

Ex parte: James T. Easton
and James McMahon
3 original — Petitioners

On consideration of the petition for writ of prohibition in this cause, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said petition be, and the same is hereby, denied.

per Mr. Justice Clifford.

William Roemer
vs Appellant
Edward Simon, Samuel Simon, & Morris Schwerin

Appeal from the Circuit Court of the United States for the District of New Jersey.

40.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is

hereby, affirmed with costs.

per Mr. Justice Clifford-

John McHenry, Ellen J. McHenry, his wife, C. C. Tebb, Wm B. Hughes, and Montgomery Godley, Assignee in bankruptcy of the estate of John McHenry, a bankrupt.

vs.

The Société Financière de Pretoyance Mutuelle.

In Error to the Supreme Court of the State of California.

116

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite

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639. The Nonconnah Turnpike Company, W. J. Smith, D. Pearson, & H. Andrews, Plffs in Error, vs. The State of Tennessee Ex rel: A. S. Talley, W. D. Harrison et al. | In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee and on the motion to dismiss which was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite.

The Nonconnah Turnpike Company, H. J. Smith, D. Pearson & H. Andrews. vs. Plffs in Error
6410. The State of Tennessee Exrel: J. J. Talley, M. D. Harrison et al.

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and on the motion to dismiss which was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite.

The Nonconnah Turnpike Company, H. J. Smith, D. Pearson, & H. Andrews. vs. Plffs in Error
6411 The State of Tennessee Exrel: J. J. Talley, M. D. Harrison et al

In Error to the Supreme Court of the State of Tennessee

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and on the motion to dismiss which was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite.

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665 — The Goodenough Horse Shoe Manufacturing Company, Plff in Error, vs. The Rhode Island Horse Shoe Company. | In Error to the Supreme Court of the State of New York.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York and on the motion of Mr. Charles Tracy to dismiss which was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this

Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite

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155 J. D. S. McAllister vs. Plffs. in Error Bertrand Kuhn

On consideration of the motion to dismiss or affirm this cause and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

Per Mr. Chief Justice Waite

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538 The Chicago & Alton R.R. Co. vs. Appellant Samuel A. Turrill

and

539 The Chicago, Burlington & Quincy R.R. Co. vs. Appellant Samuel A. Turrill

On consideration of the motion to dismiss these cases and of the arguments of counsel thereupon had, as well in support of, as against the

same, it is now here ordered by the Court that said motion be, and the same is, hereby, denied upon the authority of Perkins vs. Hemmingway, 14 How., 325; and M. & M. R.R. Co. vs. Soutter, 2 Wall., 510.

Per Mr. Chief Justice Waite

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931. William Dennison et al. vs. Columbus Alexander, Appellants | Ordered that leave be granted Mr. A.G. Riddle to file motion to cancel and annul the order of the 18th of October docketing and dismissing this appeal; and that said motion be, and the same is hereby, postponed until Monday next.

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62. Geo. E. Mattingly et al. vs. The District of Columbia, Appellants | On motion of Mr. A.G. Riddle it is ordered that the order passing this cause until No. 531 is reached be cancelled & annulled, and that No. 531 be advanced to be argued with this cause as one case.

119 The Mutual Benefit Life Insurance Company vs. Plff in Error Martha J. Day

Mr. A. J. Riddle suggested the death of Martha J. Day the defendant in error in this cause and moved the Court for an order making the proper representatives parties. Whereupon it is now here ordered by the Court that C. C. Higginbotham, Admr of the said Martha J. Day, deceased, as aforesaid, be, and he is hereby, entered and made the party defendant in error in this cause with leave to resist this writ of error.

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75 The Charter Oak Life Insurance Company vs. Plff in Error Emma A. Rodel

On motion of Mr. Samuel Knox leave is hereby granted him to file stipulation to amend record and also to file supplemental brief in this cause.

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934. James S. Gibbs, vs. Appellant / Nicpsla Dicknaelat | Mr. Nathaniel Wilson having suggested that the appellant was prepared to file the record and have this cause docketed pursuant to the rules of this Court, moved the Court to rescind and annul the order of this Court entered on the 19th of October last dismissing this appeal. On consideration whereof, it is now here ordered by this Court that the order of the 19th of October docketing and dismissing this appeal be, and the same is hereby, rescinded and annulled, and that the appellant have leave to file his record and docket his cause in conformity to the rules of this Court upon payment of costs.

per Mr Chief Justice Waite

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772. The Staten Island Railway Co. vs. Plff in Error / Bridget Lambert Admx &c. | The motion to dismiss this cause was submitted to

the consideration of the Court on printed arguments by Mr. H. H. Goodrich in support of the same and by Mr. Julien T. Davies in opposition thereto.

137	Thomas C. Jenkins vs. The City of Charleston	Error to Affirm	On motion of Mr. James Lowndes, it is ordered that this cause be advanced to be argued with No. 95 as one case.

596	George S. Lester vs. The National Fire and Marine Insurance Company.	Error to Affirm	In Error to the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and on the stipulation of counsel on file and motion of Mr. H. H. Phillips, in behalf of counsel, it is now here ordered and adjudged by this Court that the writ of error in

this cause be, and the same is hereby, dismissed. Plaintiff in error to pay costs in this Court.

Per Mr. Chief Justice Waite.

George S. Lester vs. Appellant The National Fire & Marine Ins. Co.	On motion of Mr. Phillips leave is hereby granted the Clerk to issue the Mandate in this cause.

Talmadge E. Brown vs. Appellant The County of Buena Vista.	The argument of this cause was continued by Mr. George F. Wright of counsel for the appellant, and by Mr. Talcutt Parsons for the appellee.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, November 6th, 1877

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt.
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Risley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. P. Nash it is ordered that Hamilton Cole, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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77. Tolmadge & Brown vs. Appellant / The County of Buena Vista. | The argument of this cause was continued by Mr. Galusha Parsons, of counsel for the appellee, and concluded by Mr. George E. Wright, of counsel for the appellant.

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80. The Imperial Fire Insurance Company of London vs. Riffin Error / Wm. G. Fargo, as Pursuer &c. | (Substituted for No. 76.) This cause was argued by Mr. A. B. Horie of counsel for the plaintiff in error, and by Mr. S. P. Nash for the defendant in error.

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79. The Cairo & Fulton R.R. Co. vs. Riffin Error / Samuel Hechtral. | This cause was submitted to the consideration of the Court on the record and printed argument by Mr. W. M. Rose, of counsel for the plaintiff in error. No counsel appearing for the defendants in error.

Proclamation being made the Court is ad-

Wednesday, November 7th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Enoch Totten, it is ordered that Earl P. Finch and Charles Barber, Esquires, of Oshkosh, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon: Stanley Matthews it is ordered that A.C. Campbell and Charles H. Baker, Esquires, of Cincinnati, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

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980. Chester A. Arthur, Collector &c. vs. Riffin Error — Joseph Rosenthal & Adolph Strauss

Mr. Edward Hartley, of counsel for the defendant in error having filed and read in open court the following certificate, to wit:

"Circuit Court of the United States
Southern District of New York.

Joseph Rosenthal & Adolph Strauss vs. Chester A. Arthur

Clerk's Office, New York, Nov. 5, 1877.

I, John J. Davenport, Clerk of the Circuit Court of the United States for the Southern District of New York, do certify that in the above entitled

cause final judgment was signed and docketed in this Court on the 2d day of January, A.D. 1877, in favor of the above plaintiffs and against the above defendant; and I do further certify that a writ of error to this Court in said cause in which said writ are described Joseph Rosenthal and Adolph Strauss as plaintiffs and Chester A. Arthur as defendant, for the removal of the record and proceedings in said cause to the Supreme Court of the United States, which said writ is returnable to the said Supreme Court on the second Monday of October A.D. 1877, was duly sued out, allowed and lodged on behalf of the said Chester A. Arthur, defendant, in this Circuit Court on the 25th day of April A.D. 1877, where it yet remains; and that a copy of said writ was on the same day duly lodged in my said office for the said Joseph Rosenthal and Adolph Strauss, plaintiffs.

In testimony whereof I have hereunto subscribed

my name and affixed the seal of said Circuit Court this fifth day of November in the year of Our Lord One thousand eight hundred and seventy seven and of the Independence of these United States the one hundred and second

(Seal)

John F. Davenport
Clerk

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in any way to prosecute said writ of error, now here moved the Court, in pursuance of the 9th rule of this Court, to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Southern District of New York be, and the same is hereby

docketed and dismissed with costs And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite

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76 Thomas L. Clarke, Appellant vs. The United States

This cause was argued by Mr. Enoch Totten of counsel for the appellant and by Mr. Solicitor General Phillips of counsel for the appellee.

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81 Henry Beecher, Executrix, Plff in Error vs. David Netherby et al.

This cause was argued by Mr. Charles Barber, of counsel for the defendants in error, and submitted on printed argument by Mr. Charles H. Felker for the plaintiff in error

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Wednesday, November 5th, 1877, continued

82. Joseph Morris, Survivor &c. vs. Iliff in Error Chester A. Arthur, Collector &c. | This cause was argued by Mr. Edward Hanley of counsel for the plaintiff in error, and by Mr. Solicitor General Phillips for the defendant in error.

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83. The State of Tennessee Exrel: Jacob Bloomstein vs. Iliff in Error Thos. H. Sneed Collector &c. | On motion of Mr. P. Phillips, ordered that an hour additional time be allowed in the argument of this cause.

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83. The State of Tennessee Exrel: Jacob Bloomstein vs. Iliff in Error Thos. H. Sneed, Collector &c. | The argument of this cause was commenced by Mr. K. McP. Smith of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday, November 8th 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate justices

John G. Nicolay, Esquire, Marshal
Daniel Kelsey Middleton Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Robert G. Ingersoll, it is ordered that Mark Bangs, James L. High and Ephraim Banning, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Life Association of America vs. Effie E. Ewer & Lelia L. Wilson	Mr. Fillmore, & Bradley presented the certificate of the Clerk of the Circuit Court of the United States for the Eastern District of Missouri and moved the Court, in pursuance of the 4th rule, to have this writ of error docketed and dismissed. Whereupon this Court not being sufficiently advised of, and concerning what, order to render in the premises took time to consider.

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53. The State of Tennessee for the use of Jacob Hoenstein vs. Effie E. Ewer & Thos. H. Sneed, Collector &c.	The argument of this cause was continued by Mr. A. McT. Smith, of counsel for the plaintiff in error, by Mr. J. B. Heiskell for the defendant in error, and concluded by Mr. P. Phillips, for the plaintiff in error.

Eugene Elias Mallet de Montgee, &c. et al vs. Appellants James L. Sperry	On motion of Mr. A. A. Sargent leave is hereby granted the Clerk to issue Certificate in this cause.

The Phenix Ins. Co. vs. Appellee Error Isidor Seiler	This cause was argued by Mr. J. Wilson, of counsel for the defendant in error, and submitted on printed argument by Mr. H. F. Cogswell for the plaintiff in error.

Charles Depond vs. Plaintiff in Error Hannah Hoggard, Hendrix &c., et al.	Ordered by the Court that this cause be, and the same is hereby continued to the next term.

Jno. Spence et al, Claimants &c. vs. Appellants for. N. Ivey et al.	The argument of this cause was commenced by Mr. Jos. H. Choate of counsel for the appellants

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Proclamation being made the Court is adjourned

Friday November 9th 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. F. T. Hackett, it is ordered that J. C. Gray, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Charles L. Jordan, Collector &c.
115 vs. Hyffin Error.
Thomas Draper

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. Edward Hartley, in support of the same, and by Mr. Assistant Attorney General Smith in opposition thereto.

Thomas S. Dobbins
and George Spurck
1141 vs. Hyffin Error
The United States,
1142. Same vs. Same
1143. Same vs. Same
and
1144. Same vs. Same.

Mr. Assistant Attorney General Smith, of counsel for the defendant in error, suggested the death of George Spurck, one of the plaintiffs in error in these cases, and moved the Court for an order under the 15th Rule to make the proper representatives parties. Thereupon, it is now here ordered by this Court that unless the proper representatives of the said George Spurck, deceased, as aforesaid, shall voluntarily become

parties within the first ten days of the ensuing term of this Court the defendant in error shall be entitled to have the writ of error in these cases dismissed as to him. Provided that a copy of this order shall be printed in some newspaper at the seat of government in which the laws of the United States shall be printed by authority for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

per Mr. Chief Justice Waite

The Little York Gold Washing & Water Company, (Limited) vs. Plffs in Error, James N. Kayer. Defendant in Error.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. H. Wilson, of counsel for the plaintiffs in error, and by Mr. McHair, of counsel for the defendant in error, under the Rule.

Jorge Spencer et al. Claimants 56. vs. Appellants John N. Irwin et al.	The argument of this cause was continued by Mr. J. H. Veale, of counsel for the appellants, by Mr. Wm. Allen Butler, of counsel for the appellees, and concluded by Mr. Choate for the appellants.

John Turnbull Jr., 57. vs. Appellees Jos. R. Ferguson, Assignee.	This cause was argued by Mr. E. C. Hinkley, of counsel for the plaintiff in error, and submitted on printed argument by Mr. R. K. Fenney, of counsel for the defendant in error.

Gabriela Soberanes de Cambuston, Executrix &c. 58. vs. Appellant, The United States	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. E. L. Gould, of counsel for the appellant, and by Mr. Solicitor General Phillips for the appellee.

78-	Henry A. Smythe vs. Miffin & Enos Nathaniel L. Cadwalader.	On motion of Mr. J. H. Choate leave is hereby granted the Clerk to issue the Mandate in this cause.

Proclamation being made the Court is adjourned until Monday next at — twelve o'clock.

Monday, November 12th, 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present -

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay, Esquire, Marshal
Daniel Kelly Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Matt H. Carpenter it is ordered that Kirk Hawes, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Rodney Mason it is ordered that Frederic J. Judson, Esquire of St. Louis State of Missouri be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Merchants National Bank of Cincinnati,		Appeal from the Circuit Court of the United States for the Southern District of Ohio.
68	vs. Appellant	
Theodore Cook, Alexander H. McGuffey, & James K. Sibley, trustees of B. Homans Jr, a bankrupt.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and

interest until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Ohio.

per Mr. Justice Hunt.

The First Philadelphia Bank vs. Hiffin Error Samuel Dickson and Spencer M. Janney Assignees in bankruptcy of Bryan Mackirk.	In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

per Mr. Justice Hunt.

The Continental Improvement Company vs Riffin Error Joseph Stead.	In Error to the Circuit Court of the United States for the District of Indiana.

73.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Indiana and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Indiana.

per Mr. Justice Bradley.

36 The Aetna Insurance Company vs. Tyler in Error

Fred'k E. Sage, Jesse Pearson, Horatio Bostwick, and Benjamin Smith, partners as Sage, Bostwick & Co.

In Error to the Circuit Court of the United States for the District of Connecticut.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Connecticut and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter judgment for the defendant below.

Per Mr. justice Strong

Dissenting:
Mr. justice Clifford
" " Miller.

38	Marcus Kadish vs. Affin in Error Wm. J. Hutchins and Clinton L. Kelly,	In Error to the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field

69	Elijah S. Hurd vs. Appellant The United States	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here

ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter a judgment for the plaintiff for thirty five thousand one hundred dollars the value of the service as found by that Court.

per Mr. Justice Miller.

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57 The Brooklyn Life Insurance Company of New York. vs. Clinton C. Dulohery and Annie C. Dulohery. | Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree

of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Swayne

Dissenting:
Mr. Justice Bradley

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700. Philemon S. Hawkins, Appellant vs. The United States. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Hunt

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60. The County of Cass, Plaintiff in Error vs. William A. Johnston. | In Error to the Circuit Court of the United States for the Western

District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed, with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Chief Justice Waite.

Dissenting;
Mr. Justice Bradley.

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303. The County of Cass vs. Elizabeth J. Jordan | In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District

of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Chief Justice Waite.

Dissenting:
Mr. Justice Bradley.

61.	The County of Cass vs. Johnston, in Error	In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and

adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the rate specified on the several amounts as provided in said judgment.

per Mr Chief justice Waite.

878	George Hagar et al vs. Plaintiffs in Error The People of the State of California.	In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California and on the motion to dismiss which was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief justice Waite.

14.	The Central Pacific Railroad Company vs Hiffin Error The United States,	In Error to the Circuit Court of the United States for the District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

10.	The United States vs. Appellant The Union Pacific Railroad Company et al.	Argument of this cause is ordered. Friday will be assigned for that purpose upon the application of either of the parties after the present vacancy upon the bench is filled.

The Staten Island Railway Company vs. Appellants 1776 Nov 13 Bridget Lambert, Administratrix &c	Motion to Dismiss.

The Court declines to hear this motion until the record or a statement of the substance agreed to by the parties is printed.

Per Mr. Chief Justice Waite

William F. Cochrane et al. vs. Appellants July 18 1876 Josiah S. Deuel et al.	On consideration of the motion of Mr. George Harding, it is

ordered that the appellants show cause why the decree entered at the last term of this Court in this cause should not be vacated and the appeal dismissed.

William F. Cochrane et al. vs. Appellants July 18 1876 Josiah S. Deuel et al.	Mr. Matt H. Carpenter, of counsel for the appellants, appeared in open

Court and waived the issuing of the rule

to show cause allowed herein and filed answer thereto.

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225. Chester A. Arthur, Collector &c. vs. Thomas Prosser — Motion to Dismiss. Writ of Error

This motion is denied but leave is granted the plaintiff in error, under Sec. 1005 Rev. Stat, to amend the writ of error so as to make it returnable on the Second Monday of October 1878, and to issue a new citation admonishing the defendant to appear pursuant to the writ as amended.

per Mr. Chief Justice Waite.

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931. Wm. Dennison et al. vs. Columbus Alexander. Appellants — Mr. A. T. Riddle having suggested that the appellants were prepared to file the record and have this cause docketed pursuant to the rules of this Court, moved the Court to recall and amend the order entered on the 18th of October

last dismissing this appeal. Whereupon, it is now hereordered that the order of the 8th of October docketing and dismissing this appeal be, and the same is hereby, rescinded and annulled; and that the appellants have leave to file the record and docket their cause, in conformity to the rules of this Court, upon payment of costs.

Per Mr. Chief Justice Waite.

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988. Ransom Montgomery vs. Plff in Error, The Central Railroad and Banking Company.

Mr. M. H. Carpenter, in behalf of Mr. A. R. Lawton, having filed and read in open court the following certificate, to wit:

"United States of America } ss.
Northern District of Georgia }

I, A. E. Buck, Clerk of the United States Circuit Court in and for the Northern District of Georgia, do hereby certify, that in a cause pending in

said Counterclaim Ransom Montgomery was plaintiff and The Central Railroad and Banking Company was defendant, a final judgment remanding said cause to the State Court was entered by said Court on the 9th day of October 1874, in favor of the said Central Railroad and Banking Company; Whereupon a writ of Error was prayed for by the said Ransom Montgomery, plaintiff, and allowed on the 10th day of October, 1874, in open Court at the same term at which said final judgment was entered; bond was filed and transcript furnished.

In testimony whereof I hereunto set my hand and affix the seal of said Court at Atlanta, Ga, this the Second day of November A.D., 1877.

(Seal)

A. E. Buck.
Clerk U. S. Circuit Court
Northern District Georgia.

and having stated that the plaintiff in error had altogether failed to file the

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record of said cause in this Court or in anyway to prosecute said writ of error, now heard moved the Court, in pursuance of the 6th rule of this Court, to have this writ of error dismissed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Northern District of Georgia be, and the same is hereby, dismissed and dismissed with costs; And that this cause be and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite

John Young, Trustee in Bankruptcy of Alexander Collier

vs. Appellant

The United States,

The motion for a Writ of Certiorari in this cause was argued by Mr. J.H. Ashton and Mr. W.W. MacFarland in support of the same and by Mr. Assistant

Monday, November 12th 1877, Continued.

Attorney General Smith in opposition thereto.

988- Rawson Montgomery vs. Plff in Error
The Central Railroad and Banking Company.

On motion of Mr. Carpenter leave is hereby granted the Clerk to issue the Mandate in this cause.

1110. Mary A. Pearson et al, heirs &c. vs. Plff in Error
John M. Innis and Judah.

The motion to dismiss and the motion to amend the Writ of Error in this cause was submitted to the consideration of the Court on printed arguments by Mr. W. H. Hillyard, in support of the motion to dismiss and in opposition to the motion to amend, and by Mr. F. Carroll Brewster, in opposition to the motion to dismiss and in support of the motion to amend.

Elisha Morrow
vs. Iliff in Error
E. S. Whitney et al.

The argument of this cause was commenced by Mr. T. C. Howe, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M.

Tuesday November 13th 1877

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court opened.

On motion first made to the Court in this behalf by Hon. David Davis, it is ordered that Charles N. Thomas, Esquire, of Belleville, Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. K. P. Lowe, it is ordered that Ezra J. Montague, Esquire, of Carthage, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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89. Elisha Morrow vs. Iliff in Error / E. S. Whitney et al

The argument of this cause was continued by Mr. J. C. Howe, of counsel for the plaintiff in error, and by Mr. Matt. H. Carpenter, of counsel for the defendants in error, and concluded by Mr. Howe for the plaintiff in error.

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90. Jno. T. Given & C. S. Hillon Executrix, et al; Appellants vs. John E. Hillon et al.

The argument of this cause was commenced by Mr. M. F. Mattingly, of counsel for the appellants, and continued by Mr. J. J. Johnson and Mr. H. S. Cox, of counsel for the

appellees, and by Mr. R. T. Merrick for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday, November 14th, 1877.

Pursuant to adjournment the Court met to day at the Capitol.

- Present -

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. J. E. McDonald, it is ordered that George S. Brown, Esquire, of Topeka, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. B. F. Harris, it is ordered

that Samuel Bradley Noyes, Esquire, of Canton, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph B. Stewart it is ordered that Robert M. Smith, Esquire, of Fernandina, State of Florida, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. K. T. Merriet, it is ordered that Jas. R. Chalmers, Esquire, of Friars Point, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that David M. Rodman, Esquire, of Louisville, State of Kentucky

be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Eureka Consolidated Mining Company. vs. Equity
Richmond Mining Company.
The Richmond Mining Company vs. Equity
Eureka Consolidated Mining Company
and
The Eureka Consolidated Mining Company. vs. Equity
The Richmond Mining Co. of Nevada.

On motion of Mr. P. Phillips, it is ordered that sixty days additional time be granted within which to file transcripts in these cases.

Jno. T. Given and C. S. Hilton, Executors &c, et al. vs. Appellants
vs.
John E. Hilton et al. Appellants

The argument of this cause was concluded by Mr. R. T. Merrick of counsel for the appellants.

Wednesday, November 14th, 1877, continued.

The New York Life Insurance Co.	The argument of this cause was commenced
114. vs. Effie Ewer	by Mr. M. H. Carpenter,
William F. Davis	of counsel for the
	plaintiff in error,

continued by Mr. S. B. Paul, of counsel for the defendant in error, and concluded by Mr. Carpenter for the plaintiff in error.

Guadalupe Thompson,	The argu-
Administratrix &c., et al.	ment of
117. vs. Appellants	this cause
The Maxwell Land Grant	was com-
Railway Company etc.	menced by
	Mr. Joseph

B. Stewart, of counsel for the appellants.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Thursday, November 15th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Reedy Middleton, Clerk.

Proclamation being made the Court is opened.

Joseph S. Wing, Plff in Error, v. The Commonwealth of Massachusetts.	In Error to the Superior Court of the County of Berkshire Commonwealth of Massachusetts.

This cause came on to be heard on the transcript of the record from the Superior Court of the County of Berkshire, Commonwealth of Massachusetts, and on the motion of Mr. H. L.

Danes, of counsel for the plaintiff in error, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby dismissed with costs.

per Mr. Chief Justice Waite

No. 117 — Joseph T. Durey vs. Pltff in Error / The Commonwealth of Massachusetts.

On motion of Mr. Train leave is hereby granted the Clerk to issue the Mandate in this cause.

No. 117 — Guadalupe Thompson Admx &c et al. vs. Appellants / The Madwell Land Grant & Railway Company &c

The argument of this cause was continued by Mr. R. H. Macfarland, of counsel for the appellees & concluded by Mr. Matt H. Carpenter of counsel for the appellants

Thursday, November 15th 1877, Continued.

11	The United States vs. Plff in Error 300 Barrels of Whisky, C.H. Kruse dist. et al. Claimants.	This cause was argued by Mr. Assistant Attorney General Smith of counsel for the plaintiff in error, and submitted on printed argument by Mr. J.A. Rouse for the defendant in error.

95	John Knote vs. Appellant The United States	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Thos. Jessup Miller and Mr. Linden Kent, of counsel for the appellant, and by Mr. Solicitor General Phillips, for the appellee.

Thursday, November 8th, 1877 continued

Peter D. Amory 58. vs. Affin Error Samuel D. & John Amory Executors et al. and Peter D. Amory 59. vs. Affin Error Samuel D. & John Amory, Executors et al.	The argument of these cases was commenced by Mr. H. T. Birdsall of counsel for the plaintiff in error. The Court declined to hear further argument in these cases. Also submitted on the printed brief and statement of Mr. N. K. Hebb, for the plaintiff in error.

Jno. C. Bates and J. A. Peckey 93. vs. Affin Error M. A. Belmont Clark et al.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Smith, of counsel for the plaintiff in error, and by Mr. J. B. Sanborn, for the defendants in error.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock &c.

Friday, November 16th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. B. K. Harris, it is ordered that Timothy J. Lacey, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered

that M. A. Stone, Esquire, of Virginia City, State of Nevada, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Saunders, it is ordered that John N. Evins, Esquire, of Spartanburg, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by George Shiras, Junior, it is ordered that Jacob D. Slagle and John Dalzell, Esquires, of Pittsburg, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon. D. K. Voorhees, it is ordered that H. N. Munger and H. N. Marlow, Esquires, of Fremont, State of Nebraska, be admitted to practice as attorneys and counsellors

of this Court and they were sworn accordingly.

37	Henry County vs Plff in Error Albert H. Nicolay	On motion of Mr. James Lowndes leave is hereby granted the Clerk to issue the Mandate in this cause.

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646 Wm. M. Finnigan, Plff in Error vs The State of Tennessee et al-
647 S. N. Dunscomb, " " " " " " " " "
648 M. J. Hicks, " " " " " " " " "
649 J. C. Kelly " " " " " " " " "
661 Napoleon Hill et al, " " " " " " " " "
664 Bryon A. Coleman, " " " " " " " " —

Mr. J. B. Heiskell filed and submitted to the consideration of the Court a motion to advance these cases.

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45. John McHenry et al. vs. La Société Française de Bienfaisance et de Prévoyance Mutuelle. | On motion of Mr. H. N. Phillips, leave is hereby granted the Clerk to dispute the Mandate in this cause.

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951. Minnie & Co. et al vs. Wm. Freeman & et al. | Appellants | The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. George Shiras Jr. in support of the same, and by Mr. J. F. Slagle and Mr. John Ralzell in opposition thereto.

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94. Robert Horner vs. George E. King | Appellant | This cause was argued by Mr. A. J. Brien of counsel for the appellant, and by Mr. F. H. Betts for the appellee.

Jacob Mumac
vs. Writ in Error
The City Council of
Charleston.

and

Thomas L. Jenkins
vs. Writ in Error
The City of Charleston

The argument of these cases was commenced by Mr. James Lowndes of counsel for the plaintiff in error in No 237.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 19th, 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

} Associate justices

John G. Nicolay, Esquire, Marshal
Daniel Ridley Middleton, Clerk.

Proclamation being made the Court was opened

52	Joseph Morris, Surviving Partner &c. vs. Elijah Ervin, Chester A. Arthur, Collector of the Port of New York &c.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern

District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Strong

The Charter Oak Life Insurance Company vs Hyppolite Emma R. Godel	In Error to the Circuit Court of the United States for the Eastern District of Missouri.

j.s.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Justice Bradley

	The Imperial Fire Insurance Company of London,	In Error to the
	vs.	Circuit Court
86.		of the United
	William F. Purcell as President of the American Merchants Union Express Co.	States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court.

Per Mr. Justice Strong.

Monday December 19th 1877, Continued.

James L. Beecher, Executor
of Edward Beecher, deceased.
vs. Plff in Error.
David L. Wheeler, William
James, Ebenezer James,
and A. T. Stull.

In Error to the
Circuit Court
of the United
States for the
Eastern District
of Wisconsin.

This cause came on to be heard on the
transcript of the record from the Circuit
Court of the United States for the Eastern Dis-
trict of Wisconsin, and was argued by
counsel. On consideration whereof, it is
now here ordered and adjudged by this
Court that the judgment of the said Cir-
cuit Court in this cause be, and the same
is hereby, affirmed with costs.

per Mr. Justice Field.

John L. Mount
vs. Plff in Error.
N. C. Kinsley.

In Error to the Su-
preme Court of the
State of North Carolina.

This cause came on to be heard on the tran-
script of the record from the Supreme
Court of the State of North Carolina and

was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

Talmadge E. Frost
and Jared Langdon,
vs. Appellants
The County of Brunswick
Lista Iowa.

Appeal from the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss

the bill.

per Mr. Justice Swayne.

John Turnbull Jr., v. Hyfin Error Joseph R. Parsons, Assignee of the Republic Insurance Company of Chicago, a Bankrupt.	In Error to the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the Record from the Circuit Court of the United States for the District of Maryland and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the courts of the State of Maryland.

per Mr. Justice Clifford

	The Union Pacific Rail-road Company (&c.)	
19.	vs. Appellant,	Appeal from the
	Joseph B. Stewart.	Circuit Court of
	and	the United States
	Joseph B. Stewart,	for the District
55.	vs. Appellant	of Kansas.
	The Union Pacific Rail road Company, (&c.)	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas on the appeal and cross appeal, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged & decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed. And that this cause be, and the same is hereby, remanded to the said Circuit Court with instructions to enter a decree dismissing the bill without prejudice to the right of the complainant or the holders of the consolidation bonds which

on the subject of the action to commence another suit to enforce the alleged contract of settlement whenever they shall be in a condition so to do—
Each party to pay their own costs in this Court.

Per Mr. Chief Justice Waite—

The Cairo & Fulton Railroad Company vs. Hugh Ewin Samuel Hecht and Geo. N. Stephens.

In Error to the Supreme Court of the State of Arkansas—

179

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite—

The Home Insurance Company
vs. Appeal from
Wm. Iffin Exor, &c. the Court of Appeals
Isidor Seelman of the State of
New York.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of New York, and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Appeals in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite

Peter I. S. Amory
vs. Appeal from
Wm. Iffin Exor &c. the Superior Court
Samuel I. S. Amory of the City of
and John Amory, Exors New York.
of James Amory,
deceased.

This cause came on to be heard on the transcript of the record from the Superior

Court of the City of New York being possessed of the record and proceedings upon a remittitur from the Court of Appeals of the State of New York, and was argued by Counsel - On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause be and the same is hereby affirmed with costs.

Per Mr. Chief Justice Waite.

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59 Peter B. Amory vs. Elijah Amory & Samuel B. Amory and John Amory, Executors of James Amory, deceased. | In Error to the Superior Court of the City of New York.

This cause came on to be heard on the transcript of the record from the Superior Court of the City of New York, being possessed of the record and proceedings upon a remittitur from the Court of Appeals of the State of New York, and

was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Superior Court in this cause, and the same is hereby, affirmed with costs.

Per Mr Chief Justice Waite

Mary J. Pearson, Jane C. Hoge, Caroline C. Harris and Margaret Lee Heirs of Robert & Jane Chapman, deceased. vs. Irwin Ewer John Yeardale & Annie Jane Yeardale.

In Error to the Supreme Court of the State of Pennsylvania.

1440.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Pennsylvania and on the motion to dismiss which was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby, dismissed with costs.

	Frank K. Fisher	Appeal from the
16	vs. Appellant	Circuit Court of the
	H. S. Craig and	United States for the
	Joseph Craig-	District of California.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and it appearing to the Court from the showing made by the appellant that the matters in controversy in this cause have been amicably adjusted by the parties, it is now hereupon ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed. Each party to pay their own costs in this Court.

Per Mr. Chief Justice Waite

	William F. Cochrane et al.	Motion to set
July 1876	vs. Appellants	aside decree.
	Josiah H. Deemer et al.	

Leave is granted to the parties to take

depositions in support of, and against this motion; and in doing so they will be governed by Equity Rule No. 67 as far as the same may be applicable.

Such further orders as shall appear to be necessary to speed the cause will be made upon the application of the parties or either of them in that behalf.

Per Mr. Chief Justice Haile.

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646 N. M. Flemington Appellant Error, vs. The State of Tennessee et al.
647. D. N. Drinkard, " " " " " " "
648. M. J. Meeks, " " " " " " " "
649. J. C. Neely, " " " " " " " "
650. Napoleon Hill et al, " " " " " " " "
651. Peyton S. Coleman, " " " " " " "

The motions to advance these causes are granted - If the parties cannot agree upon a time for the hearing the Court will make such further order in that behalf as may be necessary. If they do agree, the stipulation to that effect may be filed with the Clerk, and the causes will be taken up accordingly.

The Life Association of America
vs. Pfg. in Error
Lelia L. Wilson.

On consideration of the motion to docket and dismiss this cause it is now here ordered by the Court that said motion be, and the same is hereby, denied.

The Second National Bank of Louisville Ky.
115 vs. Pfg. in Error
The National State Bank of Newark N.J.

In Error to the Court of Appeals of the State of Kentucky.

This cause came on to be heard on the transcript of the record from the Court of Appeals of the State of Kentucky, and on the motion of Mr. P. Phillips, in behalf of counsel for the plaintiff in error, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr Chief Justice Waite

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990. Samuel J. Lanahan vs. James E. Sears and Clara Sears, his wife. Appellant

Mr. T. Phillips, of counsel for the appellees, having filed and read in open Court the following certificate to wit:

"Circuit Court of the United States, 5th Circuit. In and for the Western District of Texas at Austin - Sitting in Equity -

Be it remembered that on the ninth day of April A.D. 1877, at the January Term 1877 of the Circuit Court of the United States sitting at Austin, Texas -

The following decree appears of record,

Tuesday April 17. 1877

No. 108 Chancery

J. E. Sears wife
vs.
Samuel J. Lanahan

Whereas it has been represented to us in our Circuit Court of the United States for the Western District of Texas in the 5th Circuit, on the part of James E. Sears and his wife Clara Sears, complainants, that they have lately

exhibited their Bill of Complaint in our said Circuit Court for the 5th Circuit and Western District of Texas against you the said Samuel J. Lanahan to be relieved touching the matters therein complained of, in which bill it is stated among other thing, that you the said Samuel J. Lanahan are combining and conspiring by an action at law with the United States Circuit Court for the Western District of Texas and the 5th Circuit at Austin. to injure said complainants and to recover from them the possession of their homestead in the City of Waco, as will be manifest from inspection of said cause No. 1652 on law docket of the United States Circuit Court entitled Samuel J. Lanahan vs. J. E. Sears, and that your action in said cause is contrary to good conscience and equity, and you having been heretofore temporarily enjoined in your action in the said aforesaid premises, and your demurrer to the

Bill of complaint having been heard and overruled, and having heretofore failed and refused to make answer to the said bill of complaint herein.

It is therefore in consideration thereof and of the particular matters in the said Bill set forth do strictly command and perpetually enjoin you the said Samuel J. Lanahan under the pains and penalties which may befall you in case of disobedience, that you do absolutely desist from any further proceeding under and by virtue of the said suit No. 1652 at law entitled Samuel J. Lanahan vs. J.E. Sears to recover the homestead of said J.E. Sears and wife.

It is further ordered that the defendant Sam J. Lanahan do pay all costs in said suit No. 1652 aforesaid and all costs in this behalf and for which execution issue and this decree be enrolled for observance of all parties interested. To which decree and orders of this Court the

defendant excepted and gave notice of appeal.

And afterwards the said defendant Daniel J. Linahan by their Solicitors—T. H. Harper and Walton Green & Hill, filed their Petition for appeal Endorsed 108 Chancery. Sears vs. Linahan—Petition for appeal—Filed Aug. 2nd 1877. M. Hopkins, Clk.—and endorsed "Appeal allowed as prayed for and bond fixed at Five Hundred dollars T. H. Duval. Judge 11th Circuit Court that did Texas—And afterwards Bond for Appeal was filed endorsed Filed Aug. 2. 1877—M. Hopkins, Clerk, 108, Chy Bond for Appeal and endorsed Approved, T. H. Duval. H. J. Judge—Notice of Appeal was given by Citation on appeal and duly served on the solicitors of the defendant in error.

Transcript of the record and the Citation delivered to Wm. M. Walton one of the solicitors of the appellant before the 2d Monday of October A.D.

1877.

To all of which the Clerk of the Court certifies

In testimony whereof I have hereunto set my hand and the impress of the seal of said Court at Austin this 9th day of November A.D. 1877.

(Seal)

H. Hopkins
Clerk C.C.

and having stated that the appellant had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, now here moved the Court, in pursuance of the 9th rule of this Court, to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal from the Circuit Court of the United States for the Western District of Texas be, and the same is hereby, docketed and dismissed with costs; and that

this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice

per Mr. Chief Justice Waite

192.	The United States vs. J. K. McLean. Appellant	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Phillips, of counsel for the appellant, and by Mr. Harvey Spalding for the appellee, under the 20th rule.

579.	Morris Kelchum et al. vs. William Butler Duncan et al. Appellants,	The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. R. J. Morris K., Mr. F. T. Bangs, and Mr. J. H. Campbell, in support of the said motion, and by Mr. E. L. Andrews [illegible]

Mr. P. Phillips, in opposition thereto with leave to counsel to file additional briefs should they desire so to do.

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111 of 1876	William T. Cochran et al vs. Josiah N. Bamet et al	Appellants	Mr. Rodney Mason moved the Court for the appointment of an examiner to take and report the testimony in this cause in pursuance of the order granted this date. Whereupon it is now hereby ordered that James A. McKenney be, and he is hereby, appointed Examiner to take and report the testimony.

105	The City Council of Alexandria vs. Orlando Fairfax	Writ of Error	The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. C. N. Bailey and Mr. John Johns jr., in support of the same and by Mr. S. T. Beach in opposition thereto.

196	Joseph S. Pinsichal vs. Appellants The United States.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. R. T. Lowe of counsel for the appellants, and by Mr. Solicitor General Phillips for the appellee, under the 20th rule.

95	Wm. C. Murray vs. Plff in Error The City Council of Charleston. And	The argument of these causes was continued by Mr. James Lowndes, of counsel for the plaintiff in error in No. 237, and by Mr. R. Phillips for the defendants in error.
237	Thomas C. Jenkins vs. Plff in Error The City of Charleston.	

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, November 20th 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John T. Nicolay Esquire, Marshal.
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

644 Wm. M. Farrington, Plff in Err, vs. The State of Hawaii, Def in Err. Motion for leave to file petition for writ of error and writ of error and supersedeas submitted by Mr. Attorney General.

647 S. A. Drinkard, " " " " " " " " "

648 M. J. Wicks, " " " " " " " " "

649 P. C. Neely, " " " " " " " " "

661 Napoleon Hill et al, " " " " " " " "

On motion of Mr. J. B. Heiskell, it is ordered that these causes be assigned for argument on the 12th of December.

Tuesday November 20th 1877 Continued

Wm. C. Murray 95 vs. Plff in Error The City Council of Charleston And Thomas C. Jenkins 237 vs. Plff in Error The City of Charleston.	The argument of these cases was continued by Mr. R. B. Carpenter and Mr. J. B. Campbell of counsel for the defendants in error and concluded by Mr. A. G. Magrath of counsel for the plaintiff in error in No. 237, and submitted on printed argument by Mr. James Conner for the plaintiff in error in No. 95.

Chas. B. Williams et al. 96 vs. Plff in Error J. A. Duffy, Adm'r &c.	This cause was argued by Mr. Enoch Totten of counsel for the plaintiffs in error. No counsel appearing for the defendant in error.

The United States 97 vs. Plff in Error L. H. Babbitt et al.	This cause was submitted to the consideration of the Court on the record.

and printed argument by Mr. Assistant Attorney General Smith of counsel for the plaintiff in error. No counsel appearing for the defendants in error.

Gottlieb Hartdal et al
vs. Appeal from
The United States

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. J. Riddle and Mr. J. F. Fairfield of counsel for the plaintiffs in error, and by Mr. Assistant Attorney General Smith for the defendant in error.

The United States
vs. Appeal
C. J. Gillis, Admr.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Smith of counsel for the appellant, and by Messrs. H. E. Paine and B. F. Grafton of counsel for the appellee, under the 16th rule.

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100 Emmet Woodward
vs. Appellant
The Silas Ki Mining
and Smelting Company.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Sol. F. Clark and Mr. S. H. Williams of counsel for the appellee. No counsel appearing for the appellant.

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101 The Jefferson City
Gas Light Company
vs. Plff in Error
Freeman Clark et al.
and
The City of New Orleans
vs. Plff in Error
Freeman Clark et al.

These cases were submitted to the consideration of the Court on the record and printed arguments by Messrs. Semmes & Hall, of counsel for the plaintiff in error in No. 101, by Messrs. Shellabarger & Wilson, for the defendants in error and by Mr. P. Phillips for the plaintiff in error in No. 25.

The United States Ex rel: H. A. Johnston vs. Effie Ewer The County Court of Clark County	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Hunt, of counsel for the plaintiff in error, and by Mr. J. C. Broadhead for the defendant in error.

102

Geo. H. Pullon et al vs. Appellants The H. Edwards et al.	Ordered by the Court that this cause be, and the same is

103

hereby, passed.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, November 21st. 1877

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Mosby Middleton Clerk.

Proclamation being made the Court is opened,

On motion first made to the Court in this behalf by Mr. S. F. Hunt, it is ordered that Gideon J. Pillow Esquire, of Memphis, State of Tennessee, and Benjamin F. Peixotto, Esquire, of San Francisco, and J. A. Maultrie, Esquire, of San Jose, State of California be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon. K. M. Springer, it is ordered, that James M. Riggs, Esquire, of Rockford, State of Illinois, and S. M. Pattison Esquire, of Denver State of Colorado, be admitted to practice as Attorneys and Counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Hon. J. H. Harris, it is ordered that James L. Hadsh, Esquire of Boston, State of Massachusetts, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

The Germania Fire Insurance Co. et al. vs. Diller Thompson	This cause was argued by Mr. C. M. Jones and Mr. J. A. Ashton of counsel for the

104 Error to

plaintiffs in error, and submitted on printed argument by Mr. G. C. Rhoades for the defendants in error.

The Manhattan Life Insurance Company 105 vs. Plff in Error Mitchell Haelzle	This cause was argued by Mr. Henry Hitchcock, of counsel for the plaintiff in error,

and submitted on printed argument by Mr. John F. Chandler for the defendant in error.

The West St Louis Saving Bank 106 vs. Appellant Jos. F. Kennales et al	This cause was submitted to the consideration of the Court on the record and printed arguments by Hitchcock, Lubke, & Hayes, of counsel for the appellant, no counsel appearing for the appellees.

The Memphis & Charleston Railroad Company 107 vs. Plff in Error The State of Tennessee ex rel.	On motion of Mr. Gideon J. Pillow and consent of counsel for the defendant in

error, it is ordered that this cause be, and the same is hereby, continued

until the next term.

John N. Kerr and John Doe 108 vs. Iliff in Error Jno. N. Campbell et al.	This cause was argued by Mr. S. S. Henkle of counsel for the defendants in error, and submitted on printed argument by Messrs. Shellabarger & Wilson for the plaintiffs in error.

The Chicago, Rock Island and Pacific Railroad Co. 109 vs. Iliff in Error, Hamilton Houston.	Ordered that this cause be, and the same is hereby, stricken, until term.

The Lycoming Fire Insurance Co 110 vs. Iliff in Error, S. K. Haven et al.	This cause was submitted to the consideration of the court on the record and,

printed arguments by Mr. L. Broadfoot of counsel for the plaintiff in error, and by Mr. Robert Harvey for the defendants in error.

Wednesday, November 21, 1877, Continued.

111 The Globe Mutual Life Insurance Company. vs. Plff in Error
Maria L. Inman, Clifford L. Inman, Edward F. Inman, and M. S. Inman

In Error to the Circuit Court of the United States for the District of Kentucky.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and on the authority of counsel for the plaintiff in error; it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

Proclamation being made the Court is adjourned until to morrow at twelve o'clock M.

Thursday, November 22, 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Kelley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. C. Carrington, it is ordered that Campbell C. Carrington, Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. F. Hillyard, it is ordered that C. C. Cole, Esquire, of Des Moines, State of Iowa be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J. L. McPherson it is ordered that Jefferson Chandler, Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in his behalf by Mr. J. C. Gray, it is ordered that J. Sidney Biddle, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Second National Bank of Louisville
115 vs. Iliff in Error
The National State Bank of Newark N.J.

On motion of Mr. F. F. Farlinghuysen of counsel for the defendant in error, the Court ordered that the plaintiff in error show cause on the 10th day of December A.D. 1881, why damages in addition to double costs should not be allowed in this cause; and that the Mandate be not issued without notice or consent.

Daniel Hand
101 vs. Iliff in Error
T. C. Dunn, Comptl. Genl. &c.

Amos D. Williams
125 vs. Appellant
T. C. Dunn, Comptl. Genl. &c.
And
T. L. Southmead, Appellants
247 vs. Appellants
T. C. Dunn, Comptl. Genl. &c.

On motion of Mr. James Comegys, the Court ordered that Johnson Hagood, Comptroller General of the State of South Carolina, be substituted for T. C. Dunn late Comptroller General, as defendant in

error and appellee respectively in these cases.

The Chicago Rock Island & Pacific Railroad Co.
1109 vs Piffin Error,
Hamilton Howlett.

This cause was argued by Mr. J. F. Hillman of counsel for the plaintiff in error, and by Mr Pierson Chandler for the defendant in error.

The Central Colorado Improvement Co.
113 vs. Piffin Error.
The Board of County Commissioners of Pueblo County.

This cause was argued by Mr. J. M. Thurston of counsel for the plaintiff in error and submitted on printed arguments by Mr. A. T. Bradford for the defendant in error.

Lewis Dingdell et al.
113 vs. Piffin Error
Wm. J. Pattock, Coll'r &c.

This cause was submitted to the consideration of the Court on the

record and printed arguments by Mr. Thos. S. Rice of counsel for the plaintiff in error, and by Mr. Assistant Attorney General Smith for the defendant in error with leave to the defendant in error to file reply brief.

Egisto P. Fabbri et al.
1111 vs. Higgins Exrs
Thos. Murphy late Collr &c

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. P. Lowrey, of counsel for the plaintiffs in error, and by Mr. Assistant Attorney General Smith, for the defendant in error.

Daniel Mitchell
116. vs. Appellant
Catherine Moore,
by her next friend &c,

This cause was argued by Mr. P. Phillips, of counsel for the appellant, and by Mr Leigh Robinson and Mr. Conway Robinson, of counsel for the appellees.

Thursday, November 22, 1877, Continued.

117 George C. Sherwick vs. Riggin Exor & al Talbot

This cause was argued by Mr. H. H. Phillips of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

118 The Eastern Transportation Line. vs. Riggin Exor Patrick F. Hope.

This cause was argued by Mr. J. C. Gray of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at eleven o'clock.

Friday, November 23, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Kelly Middleton, Clerk.

Proclamation being made the Court opens.

10010 Henry C. Hawkins vs. Hoffman Ernst / Jordan M. Hyde

Mr. R. T. Lowe of counsel for the defendant in error, having filed and read in open Court the following certificate to wit;

"In the Supreme Court of Idaho Territory.

Henry C. Hankins
vs. Appellant
Jordan S. Hyde
Respondent.

I Alonzo L. Richardson, do hereby certify that I am the Clerk of the Supreme Court of Idaho Territory, and that on the 29th day of January A.D. 1876, a judgment was made in the said Supreme Court of Idaho Territory affirming with costs the judgment of the District Court of the Third Judicial District of Idaho Territory in and for the County of Owyhee in the cause wherein Jordan S. Hyde was plaintiff, and Henry C. Hankins defendant in said District Court and wherein in this Court Henry C. Hankins was appellant and Jordan S. Hyde respondent.

That on the 22d day of March A.D. 1876, a writ of error from the said judgment of affirmance in said cause by the Supreme Court of Idaho Territory was duly issued out and allowed in

said cause to the Supreme Court of the United States by the said Henry C. Hawkins, appellant in said cause in the Supreme Court of Idaho Territory, to reverse the judgment of the Supreme Court of said Territory.

That on the 18th day of September, A. D. 1876, a transcript of the record of proceedings in said cause in the Supreme Court of Idaho Territory annexed to the said writ of error was delivered to L. P. Higbee Esq. Attorney for appellant in said Supreme Court of Idaho Territory.

In testimony whereof I have hereunto subscribed my name and affixed the seal of said Supreme Court of Idaho Territory this 4th day of October, A. D. 1877.

(Seal)

Henzo L. Richardson
Clerk."

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in any

way to prosecute said writ of error now heretofore removed the Court, in pursuance of the 4th rule of this Court, to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause to the Supreme Court of Idaho Territory be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Supreme Court to be proceeded in according to law and justice.

per Mr Chief Justice Waite

1878 George Hagan &c vs. Plff in Error
The People of California. Defts

On motion of Mr. A. A. Sargent leave is hereby granted the Clerk to issue the Mandate in this cause.

69	Elijah S. Ward vs. The United States	On motion of Mr. Thos. Nelson leave is hereby granted the Clerk to issue the Mandate in this cause.

119	The Mutual Benefit Life Insurance Co. vs. Effie E. Lee & C. C. Higginbotham, Administrator &c.	The argument of this cause was commenced by Mr. J. H. Ashton of counsel for the plaintiff in error, continued by Mr. Francis Miller and Mr. W. S. Riddle, of counsel for the defendant in error, and concluded by Mr. F. T. Frelinghuysen for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, November 26. 1877.

Pursuant to adjournment the Court met to day at the Capitol

Present -

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Kesley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. A. H. Cowdrey, it is ordered that Charles Edward Tracy and Thomas H. Osborn, Esquires of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. T. Shipman it is ordered that William P. Douglass, Esquire, of Jersey City, State of New Jersey, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Smith, it is ordered that John P. Hudson, Esquire, of Brooklyn, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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83 The State of Tennessee Ex rel: Jacob Hoenstein, vs. Iliff in Error Thomas N. Reed, Collector of the State & County Revenue for Davidson County.

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the

transcript of the record from the Supreme Court of the State of Tennessee and was argued by counsel. On consideration whereof, it is now hereordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Hunt.

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111. The New York Life Insurance Company vs. Jeffries Error to the Circuit Court of the United States for the Eastern District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Virginia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same

is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a venire facias de novo.

Per Mr. Justice Bradley

Dissenting:
Mr. Justice Clifford

John S. Fiven and
Carberry S. Hillon
Executors, &c. Carberry
S. Hillon, John Seay
Hillon & Henry Sion Hillon
90. vs. Appellants
John Emory Hillen, Lunacy
R. Morsell & Richard T.
Morsell, Anna Fleming
Smith & Henry H. Smith

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now

ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to enter a decree in conformity with the opinion of this Court.

per Mr. Justice Strong.

(p) John Knote, Appellant, vs. The United States. | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Field

84	Elisha Morrow vs. Affin Error Emmeline S. Whitney and James S. Baker	In Error to the Supreme Court of the State of Wisconsin

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to reverse the judgment of the Brown County Circuit Court and to direct that Court to award a new trial in conformity with the opinion of this Court.

per Mr. Justice Field.

Monday, November 16, 1885, Continued.

91	Robert Werner, Appellant, v. George C. King	Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

Per Mr. Justice Miller.

Elizabeth C. Auld, John
C. Simonton, Elizabeth C.
Bradley, Hannah P.
Jackson, Samuel Simonton,
Howe C. P. Shoemaker, and
S. Simonton & Howe Shoemaker.
vs
The Washington Hospital
for Foundlings.

In Error to
the Supreme
Court of the
District of
Columbia.

No. 70. Affirmed with Costs.

This cause came on to be heard on the
transcript of the record from the Supreme
Court of the District of Columbia, and
was argued by counsel. On consider-
ation whereof, it is now here or-
dered and adjudged by this Court
that the judgment of the said Su-
preme Court in this cause be, and
the same is hereby, affirmed with
costs.

Per Mr. Justice Swayne.

George Spencer and David L. Turner, claimants of the Schooner "Manata," her tackle, &c.	Appeal from the Circuit Court of the United States for the Southern District of New York.
86 vs. Appellants	
John H. Avery, H. H. Avery & H. H. McJohnson, Executors of Josiah Johnson, deceased, Jno. Carroll et al.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of New York.

Per Mr. Justice Clifford.

Gabriela Sobernanes de Cambuston, Executrix of Henry Cambuston, deceased -	Appeal from the Circuit Court of the United States for the District of California.
58 vs. Appellant	
The United States	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that the appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

John Milner Jr.	Appeal from the Circuit Court of the United States for the Southern District of Ohio.
54 vs. Appellant	
William McMeekin, Assignee in Bankruptcy of Abraham A. Moore.	

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause in so far as it affirms the decree of the district court declaring the mortgage in favor of Milner fraudulent and void is reversed with costs - And that this cause be, and the same is hereby, remanded to the said Circuit Court with instructions to reverse so much of the decree of the district court as rejects the lien of the mortgage of Milner, and to remand the cause to that Court with directions to establish the lien of the mortgage of Milner and to proceed thereafter in conformity to law and justice.

Per Mr. Chief Justice Waite

951 Minnie K. Company
by R. Miller Jr. et al
vs. Appellants
William Coleman for
himself & others, Creditors
of C. & C. H. Jug Manufg Co.

Appeal from the
Circuit Court
of the United States
for the Western
District of Pennsylvania.

This cause came on to be heard on the
transcript of the record from the Circuit
Court of the United States for the Western
District of Pennsylvania, and was ar-
gued by counsel. On consideration whereof,
it is now here ordered, adjudged, and de-
creed by this Court that this appeal be,
and the same is hereby, dismissed,
with costs.

Per Mr. Chief Justice Waite

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100 Emmet Woodward
vs. Appellant
The Pulaski Mining
& Smelting Company.

Appeal from
the Circuit
Court of the
United States
for the Eastern
District of Arkansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Arkansas, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and damages at the rate of five per cent. upon the amount of the decree in addition to interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Arkansas.

per Mr. Chief Justice Waite.

John Young, Trustee in bankruptcy of Alexander Collie

781 vs Appellant

The United States.

On consideration of the motion for a writ of Certiorari in this cause and of the arguments of counsel thereupon had, as well in

support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite

The City Council of Alexandria.		On consideration of the motions to dismiss the writ of error or affirm the judgment in
705	vs. Hyffin Error	
Orlando Fenner		

this cause, and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motions be, and the same are hereby, denied.

The State The Morris		On motion of
& Essex Railroad Co.		Mr. J. E. Shipman
313	vs. Hyffin Error	leave is hereby
Jas. J. Ward, Commr'r.		granted the
		Clerk to issue

the Mandate in this cause.

	The New Orleans Canal and Banking Co	On motion of Mr. P. Phillips
21	vs. Appellant	leave is hereby
	N. B. Montgomery et al	granted the Clerk to issue

the Mandate in this cause.

	Russell Sage et al	Ordered by the
937	vs. Appellants	Court that the
	The Central R. R. of	motion to dis-
	Iowa et al	miss this cause

be, and the same is hereby postponed until Monday the 10th of December.

	Hallett Kilbourn	The motion to
703	vs. Plaintiff in Error	advance this
	Jno. G. Thompson et al.	cause was

submitted to the consideration of the Court by Mr. F. Hurd in support of the same.

	The United States	Mr. Hudson in be-
945	vs. Plaintiff	half of Mr. Tracy
	Lewis Fox	filed and sub-

mitted to the consideration of the Court motion to advance this cause.

The Baltimore & Potomac R. R. Co.
120. vs. Iffin Error
Williams H. Jones

The argument of this cause was commenced by Mr. Enoch Totten, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Tuesday, November 27, 1877

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this term by Mr. Solicitor General Phillips it is ordered that John K. Gos Sapos, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Baltimore & Potomac R. R. Company
120 vs. Pfflin & Error
Wm. H. Jones,

The argument of this cause was continued by Mr. Enoch Totten, of counsel for the plaintiff in error, by Mr. Campbell Carrington and Mr. E. C. Carrington, of counsel for the defendant in error, and concluded by Mr. Totten for the plaintiff in error.

Samuel P. and A. P. Brown.
121 vs. Pfflin & Error
S. A. Spofford et al.

This cause was argued by Mr. Nathaniel Wilson, of counsel for the plaintiffs in error, and by Mr. Joseph Casey, for the defendants in error.

Lawrence L. Conrad
122 vs. Pfflin & Error
Rufus Naples et al.

The argument of this cause was commenced by Mr. L. L. Conrad, of counsel for the Pfflin & Error.

Proclamation being made the Court is adjourned

Wednesday, November 28, 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Walter S. Cox, it is ordered that Charles P. Mallett, Esquire, of Portland, State of Maine, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. E. McDonald, it is ordered that Charles P. Marsh, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and

counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Thos. F. Bayard, it is ordered that Perry Belmont, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. D. W. Voorhees, it is ordered that William M. Watkins, Esquire, of Laporte, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. M. Champlin, it is ordered that Benjamin Vospen, Esquire, of Ionia, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Indianapolis and St Louis Railroad Co. vs. Appellant James L. Vance Collector &c. and The Indianapolis and St Louis Railroad Co. vs. Appellant Jas. L. Vance, Collector &c.	Ordered by the Court that these cases be assigned for argument on Friday the 1st day of February next.

669 Sylvester Pennoyer vs. Plffin Error Marcus Neff	It This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. F. Trimble, of counsel for the plaintiff in error, and by Mr. Jas. K. Kelly, of counsel for the defendant in error, under the 20th Rule.

122 Laurence L. Conrad vs. Plffin Error Rufus Naples et al.	The argument of this cause was continued by Mr. L. L. Conrad, of counsel for the plaintiff in error by

Wednesday, November 28, 1877. Continued.

Mr. T. J. Durant for the defendants in error, and concluded by Mr. Conrad for the plaintiff in error.

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123 George Ferguson vs. Kiffin in Error Chas. McLaughlin.

This cause was argued by Mr. J. H. Moultrie of counsel for the defendant in error. No counsel appearing for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, December 3d, 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief justice

Associate justices

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. Shellabarger it is ordered that Henry M. Duffield, of Detroit, State of Michigan, and Artemas B. Johnson and John D. King, of Kenton, State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion just made to the Court in this behalf by Mr. James Lowndes, it is ordered that Wade H. Martin, Esquire, of Natchez, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The Eastern Transportation Line -	In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.
118. vs. Plaintiff in Error Patrick F. Hope	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest

until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Pennsylvania.

Per Mr Justice Hunt.

Sundalupa Thompson Administratrix of Alfred Kent, died, &c. Thompson her husband, & Geo. Ingles, guardian ad litem of Chas. Kent, A. S. Kent & Julia Kent

vs. Appellants

The Maxwell Land Grant & Railway Company, Chas. B. Maxwell & Luz B. Maxwell, his wife

Appeal from the Supreme Court of the Territory of New Mexico.

H/

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of New Mexico, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed

with costs - And that this cause be, and the same is hereby, remanded to the said Supreme Court with direction to allow the complainants to amend their bill as they shall be advised and with liberty to the defendants to answer any new matter introduced therein; And that all the proofs in the case shall stand as proofs upon any future hearing thereof, with liberty to either party to take additional proofs upon any new matter that may be put in issue by the amended pleadings.

per Mr. Justice Bradley.

50- James L. Beard, Plff in Error, vs. Joseph L. Bibb, Deft in Error. } In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this

Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to reverse the last decree of the Chancellor and direct him to dismiss the bill of review.

per Mr. Justice Strong.

John C. Bates and J. V. Starkey vs. Affirm'd
W. H. Belmont Clark and H. Hard Bill. Error to the Supreme Court of the Territory of Dakota.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Dakota and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

The Peninsular Fire Insurance Company, The Hanover Fire Insurance Company, The Niagara Fire Insurance Company & The Republic Fire Insurance Company.	In Error to the Circuit Court of the United States for the District of Kentucky.
1044. vs. Plaintiffs in Error.	
Gillen Thompson & Thomas Nelson, partners as Thompson & Company.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kentucky, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Kentucky.

Per Mr. Justice Miller

77

The United States
vs
Alfred Ewing
Alexander T. Babbitt,
Claiborne Hall and
Jackson H. Bennett.

In Error to the
Circuit Court
of the United States
for the District
of Iowa.

This cause came on to be heard on the
transcript of the record from the Cir-
cuit Court of the United States for the
District of Iowa, and was argued by
counsel. On consideration whereof,
it is now here ordered and adjudged
by this Court that the judgment of the
said Circuit Court in this cause be
and the same is hereby, reversed.
And that this cause be, and the same
is hereby, remanded to the said Circuit
Court for further proceedings to be
had therein in conformity with the
opinion of this Court.

per Mr. Justice Swayne.

The Lycoming Fire Insurance Company of Muncy, Penna.

110 vs Appeal from the

Samuel R. Haven, Jane S. Haven, George L. Johnson, Mary E. Johnson, B. F. Benjamin, Clara Benjamin, Edward L. Howell, John Aston & S. S. Howell by D. A. Haven his next friend

Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

Present, Justice Clifford.

Ernste P. Fabbri Trad
ing & Channing, and
Ernste P. Fabbri
111 vs. Appeal Error
Thomas Murphy, late
Collector of Customs &c

In Error to the
Circuit Court
of the United States
for the Southern
District of New
York.

This cause came on to be heard on the
transcript of the record from the Cir-
cuit Court of the United States for the
Southern District of New York, and was
argued by Counsel. On consideration
whereof, it is now here ordered and
adjudged by this Court that the judgment
of the said Circuit Court in this cause be,
and the same is hereby, affirmed with costs.

Per Mr. Justice Clifford

The United States
91 vs. Appeal Error
Two Hundred Barrels
of Whisky and other property
claimed by C. H. Kunsten-
dieck & Cobb, Rothrock
& Company.

In Error to the
Circuit Court
of the United
States for the
District of
Louisiana.

Monday, December 3d, 1855. continued

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr Chief Justice Taney

David Mitchell
116. v. Appeal from the
Catharine Moore & Circuit Court of
her next friend Husband, the United States
J. L. C. Moore. for the Southern
District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court

in this cause be, and the same is hereby affirmed with costs and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Alabama.

per Mr Chief Justice Waite.

	The First St Louis Saving Bank, Appellant, v. George F Saunders and The Shawnee County Bank	Appeal from the Circuit Court of the United States for the District of Kansas.
116		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that

similar decrees been in the Courts of the State of Kansas.

per Mr. Chief Justice Waite

Follick Hart and George Stahl	In Error to the Circuit Court of the United States for the Northern District of Ohio.
98. vs. Plff in Error	
The United States of America.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Ohio, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby, affirmed with interest, until paid, at the same rate per annum as that similar judgments bear in the Courts of the State of Ohio.

per Mr. Chief Justice Waite.

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105 The Manhattan Life Insurance Company vs. Ryan Exrx Nathaniel Hart'g

In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

Monday, December 3rd 1877, Continued

95	William C. Murray vs. Riffin Error— The City Council of Charleston.	On account of the importance of the questions involved in these suits, a re-argument is ordered before a full Court. While the argument will be open, the attention of counsel is asked particularly to the question of jurisdiction. A day will be fixed for the hearing upon the application of either of the parties as soon as the present summary upon the Docket shall be called.
237	Thomas C. Jenkins vs. Riffin Error— The City of Charleston and Chas. D. Williams et al.	
96	Chas. D. Williams et al. vs. Riffin Error Jason N. Dunlap, Admr &c	

Per Mr. Chief Justice Waite

702	Hallet Kilbourn vs. Riffin Error John G. Thompson et al.	On consideration of the motion of Mr. Hurd to advance this cause, it is now here ordered by the Court that an

motion be, and the same is hereby, denied.

123	George Pearson vs. Plff in Error Charles McLaughlin.	On motion of Mr. Moultrie, leave granted plaintiff in error to file brief and also leave to defendant in error to file reply if desired.

526	The Mayor &c of Troy vs. Plff in Error Evans, Samuel & Co.	The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. A. T. Herbert in support of the same, and by Mr. S. F. Rice and Mr. Thomas F. Jones, in opposition thereto.

1311	The Grand Trunk R. R. Co. of Canada vs. Pltf in Error Ansel Sterne,	On motion, & consent of counsel, it is ordered that this cause be substituted for No. 127, and vice versa.

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276 The United States vs. Appellants The Brig "Grace Lothrop" &c. | The cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Phillips, of counsel for the appellants, and by Mr. Seth J. Thomas, for the appellee, under the 16th Rule.

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177 The Continental Insurance Company of N.Y. vs. Allyn Eno & S. S. Hackett et al. | The motion to dismiss this cause was submitted to the consideration of the Court on printed argument by Messrs. Shellabarger & Wilson, in support of the same, and by Mr. Wm. Allen Butler, in opposition thereto.

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700 Philemon J. Hawkins vs. Appellant The United States | On motion of Mr. E. Totten leave is hereby granted the Clerk to issue the Mandate in this cause.

86	George Shannon et al. vs. Appellants for the Treasurer et al.	On motion of Mr. Gillman leave is hereby granted the Clerk to issue the Mandate in this cause.

1911	H. Simon Chubb vs. Plaintiff Error. Clark N. Upton Defendant.	The argument of this cause was commenced by Mr. J.W. Champlin of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday December 11th 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. D. McPherson, it is ordered that James D. Hill, Esquire, of New Orleans, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. L. P. Ballinger, it is ordered that George Flournoy, Esquire, of Galveston State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. S. S. Henkel, it is ordered that F. Charles Hunnel Esquire, of Galveston, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

A. Simon & Bro. vs. Kiff in Error
124. Clark P. Hopkins Appellee

For argument of this cause was continued by Mr. M. J. Smiley, of counsel for the defendant in error, and concluded by Mr. J. K. Champlin, of counsel for the plaintiff in error.

Sheldon C. Pound et al vs. Kiff in Error
125 for B. Frank et al.

This cause was argued by Mr. M. H. Carpenter

& counsel for the plaintiff in error, and submitted on printed arguments by Mr. Tim. F. Tibbs, of counsel for the defendants in error.

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58 — Peter D. Amory vs. Hoffman Exrs & Samuel D. Amory et al.

And

59 — Peter D. Amory vs. Hoffman Exrs & Samuel D. Amory et al.

On motion of Mr. H. Carpenter leave is heretofore granted the Clerk to issue the mandate in these cases.

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126 — Samuel N. Thatcher vs. Hoffman Exrs & Samuel Kercheval

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. N. Hillyer, of counsel for the plaintiff in error, and by Mr. John L. Charles, for the defendants in error.

134	The Grand Trunk Railway Co. of Canada v. Fiffin Error and Sweet Stevens,	(Substituted for No. 137.) The argument of this cause was commenced by Mr. John Read, of counsel for the plaintiff in error, and continued by Mr. C. P. Mallocks, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Wednesday, December 5th, 1877, Continued

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John F. Hoxley, Esquire, Marshal.
Daniel Kelley Middleton, Clerk

Proclamation being made the Court orders

The State of Wisconsin, Complt
vs.
The City of Duluth et al. Defts

Original

On motion of Mr. Peck, in behalf of counsel, it is ordered that this cause be assigned for argument on the 14th day of January, 1878.

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133 The United States vs. Kiff in Error Walter Mann

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Phillips of counsel for the plaintiff in error, and by Mr. George L. Otis, for the defendant in error.

1311 The Grand Trunk Railway Co. of Canada vs. Kiff in Error Ansel Stevens,

(Substituted for No. 127.) The argument of this cause was concluded by Mr. John Rand of counsel for the plaintiffs in error.

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125 The Pensacola Telegraph Co. vs. Appellant The Western Union Telegraph Co.

This cause was argued by Mr. C. H. Jones of counsel for the appellant, and by Mr. Perry Belmont of counsel for the appellee.

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129 The County of Macon vs. Piffin Exor James F. Moore, | The argument of this cause was commenced by Mr. James Carr of counsel for the plaintiff in error.

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132 Wm. McGanahan vs. Piffin Exor The Mar Idua Mining Co | On motion of Mr. Carpenter ordered that two hours additional time be allowed counsel on each side in this cause.

Proclamation being made the Court is adjourned until tomorrow at ten o'clock.

Thursday December 6. 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Kisley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John A. Bayler, it is ordered that A. H. Tellibone, Esquire, of Knoxville, and Xenophon Wheeler, Esquire, of Chattanooga, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

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136. Edward J. C. Allenburg vs. Thomas B. Marrett, Assignee of John L. Baker surviving partner of Allenburg, Baker & Co, Bankrupts. | Appeal from the Circuit Court of the United States for the District of Minnesota

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and on the stipulation of counsel for the respective parties on file, and on motion of Mr. P. Phillips, in behalf of counsel. It is now here ordered, adjudged and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite

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136. Edward J. C. Allenburg vs. Thos. B. Marrett Assignee | Appellant | On motion of Mr. P. Phillips, leave is hereby granted the Clerk to

issue the Mandate in this cause.

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129 The County of Macon vs. Iliff in Error James F. Shores. | The argument of this cause was continued by Mr. J. D. Stevenson of counsel for the defendant in error, and concluded by Mr. James Carr, for the plaintiff in error.

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130 The Hannibal & St. Joseph Railroad Company vs. Iliff in Error John F. Hussey. | This cause was argued by Mr. James Carr of counsel for the plaintiff in error, and by Mr. M. A. Low, of counsel for the defendant in error.

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131 William McGeraham vs. Iliff in Error The Lowden Mining Co. | Ordered by the Court that three counsel be allowed in the argument of this cause for the plaintiff in error.

William McGanahan
vs. } In Error
The New Idria Mining Co.

The argument of this cause was commenced by Mr. Charles P. Shaw, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock M.

Friday December 7. 1877

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R. Waite, Chief justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate justices

John F. Finley, Esquire, Marshal
David Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. T. Merrick, it is ordered that Wm H. Manning, Esquire, of Holly Springs, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court, and he was sworn accordingly.

1166 Jesse Kingsbury vs. Fifth Dist. T. G. Morrow | In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and on the authority of counsel for the plaintiff in error, and motion of Mr. M. Hall in behalf of counsel.

It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

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94 Robert Kenner vs. George C. King | Appellant | On motion of Mr. A. T. Brosnan leave is hereby granted the Clerk to issue the Mandate in this cause.

Friday, December 7th 1877. Continued.

William M. Jarnahan vs. Error, The New Idria Mining Co.	The argument of this cause was continued by Mr. C. P. Shaw and Mr. M. Blair, of counsel for the plaintiff in error; by Mr. J. S. Black, of counsel for the defendant in error, and concluded by Mr. Matt H. Carpenter for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, December 10th, 1877

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

The Honorable John M. Harlan appeared and produced the following Letters Patent & Oath of office which were read in open Court and ordered to be recorded upon the Minutes, in the following words, viz:

Rutherford B. Hayes
President of the United States of America
To all who shall see these Presents,
Greeting. Know ye that reposing
special trust and confidence in the
wisdom, uprightness, and learning
of John M. Harlan, I have nomi-
inated, and by and with the ad-
vice and consent of the Senate do
appoint him to be Associate Justice
of the Supreme Court of the United States,
and do authorize and empower him
to execute and fulfil the duties of that
office according to the Constitution and
Laws of the said United States and to
have and to hold the said office, with
all the powers, privileges, and emoluments
to the same of right appertaining, unto
him the said John M. Harlan during
his good behavior.

In testimony whereof, I
have caused these Letters
(Seal) to be made Patent, and
the Seal of the United States
to be hereunto affixed.

Given under my hand
at the City of Washington
the twenty ninth day of
November in the year of
Our Lord one thousand
eight hundred and seventy
seven and of the Indepen-
dence of the United States
of America the One hun
dred and second.

R. B. Hayes.

By the President:
Wm M. Evarts
Secretary of State.

I John M. Harlan, do solemnly swear
that I will administer justice without
respect to persons and do equal right
to the poor and to the rich, and that
I will faithfully and impartially dis-
charge and perform all the duties
incumbent on me as an Asso-
ciate Justice of the Supreme Court
of the United States according to
the best of my abilities and under-

standing agreeably to the Constitution and Laws of the United States. So help me God.

John M Harlan

Sworn to in open Court this 10th day of December, 1877.

R. H. Middleton
Clerk Sup Court U.S.

I, John M. Harlan, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have never sought nor accepted, nor attempted to exercise the functions of any office whatever under any authority, or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority,

power, or Constitution within the United States hostile or inimical thereto. And I do further swear that to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

John M. Harlan.

Subscribed and
sworn to before
me, this 10th day
of December, A.D. 1877.

M. R. Waite
Chief Justice
Sup. Ct. U.S.

On motion first made to the Court in this behalf by Mr. Simmons Stallabarger, it is ordered that Alphonso Hart, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. D. S. Henderson, it is ordered that N. M. Jones, Esquire, of Des Moines, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that Howell E. Jackson, Esquire, of Jackson, and L. D. McKisick, Josiah Patterson, and D. E. Meyers, Esquires, of Memphis, State of Tennessee, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Mutual Benefit Life Insurance Company, Plaintiff in Error.
vs.
C. C. Higginbotham, Administrator of Martha J. Day, deceased.

In Error to the Supreme Court of the District of Columbia.

119

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the District of Columbia.

Per Mr. Justice Hunt.

177	George C. Beckwith vs. Charles N. Talbot	In Error to the Supreme Court of the Territory of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Colorado, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs. And it is further ordered that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Colorado.

Per Mr. Justice Bradley.

190	The United States, Appellant vs Catherine S. Ellis, Admx of Thomas H. Ellis, deceased.	Appeal from the Court of Claims.

This cause came on to be heard on the

transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed. And that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the claimants petition.

(per Mr. Justice Strong)

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65. John Preston Jr. vs Thomas L. Preston, Jas. C. Campbell, Arthur C. Cummings, John S. Preston, William A. Stewart & G. K. Kilmer.

Appeal from the Circuit Court of the United States for the Western District of Virginia.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Virginia, and was argued

by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

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108 John M. Kerr & John Doe v. Plff in Error. | In Error to the Supreme Court of the Territory of Utah.
Jno. F. Campbell & Jas. H. Hammond.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

The Central Colorado Improvement Company,
112. vs. Plffs in Error
The Board of County Commissioners of the County of Pueblo.

In Error to the Supreme Court of the Territory of Colorado.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Colorado, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Colorado with instructions to enter a judgment affirming the judgment of the District Court for the County of Pueblo.

Per Mr. Justice Miller

The Baltimore & Potomac Railroad Company vs. William H. Jones	In Error to the Supreme Court of the District of Columbia.

190.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to award a venire facias de novo and to proceed in conformity with the opinion of this Court.

Per Mr. Justice Swayne.

Samuel P. Brown &c Austin P. Brown, 121 vs. Plffs in Error Simeon H. Stafford and Edward S. Clark.	In Error to the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the District of Columbia. The judgment rendered here must be separately applied in the Court below.

Per Mr. Justice Clifford.

1879 Morris Ketchum et al. vs. Wm Butler Duncan et al. Appellants

On consideration of the motion to dismiss this appeal, and of the argument of counsel thereupon had, as well in support of as against the same, it is ordered that said motion be, and the same is hereby, denied.

And it is further ordered that the supersedeas arising upon this appeal be so far suspended as to allow sale to be made of the mortgaged premises in pursuance of the decree below; And that the Commissioners appointed to make the sale, conduct the same in all respects as directed by the decree except that the portion or shares of the proceeds which would enure to the benefit of the appellants by the reversal of the decree, so far as it sustains the validity of the coupons of 1874, be paid in cash to the Commissioners, and by them into the registry of the Circuit Court

for the Southern District of Alabama to await the disposition of this appeal and the further order of the Court thereon.

Opr. Mr. Chief Justice Waite

Theodore Shillaber
25 vs. Appellant
John Robinson.

Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York and was argued by counsel. On consideration whereof, the Court being equally divided in opinion, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

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826 The Mayor &c., of Troy vs. Iliff in Error
Evans, Hindman & Co.
and
The Continental Insurance Co. of New York.
717 vs. Iliff in Error
S. S. Slack et al.

We decline hearing these motions until the record or an agreed statement of so much thereof as is necessary to be considered in determining the questions presented, shall be printed.

per Mr. Chief Justice Waite.

The Goodenough Horse Shoe Manufacturing Co.
665 vs. Iliff in Error.
The Rhode Island Horse Shoe Company.

This writ of error having been issued on Dec. 18, 1876, the plaintiff in error had until the present term to docket the cause and file the record. In order to move to dismiss the defendant in error filed the record at the last term and upon that record an order dismissing the cause for want of jurisdiction has been granted. And it is now alleged that the record filed is not a

correct transcript of that which actually exists in the Court below, the order of dismissal is suspended until the first Monday in January next, and leave is granted the plaintiff in error to file another transcript which will be considered with this petition for rehearing.

Per Mr. Chief Justice Waite.

J. D. T. McAllister
155 vs. Iffin Error
Bertrand Kuhns

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Z. Snow of counsel for the plaintiff in error, and by Mr. J. H. Mandeville for the defendant in error under the Rule.

The Natoma Water & Mining Company
132 vs. Iffin Error
B. A. Bugbey.

This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs. Shellabarger and

Wilson of counsel for the plaintiff in error and by Mr. A. T. Sargent, for the defendant in error.

The Home Ins. Co. vs. Pliffin Error. Isador Seckner.	On motion of Mr. J. H. Ashton leave is hereby granted the Clerk to issue the Mandate

511

in this cause.

Alexander A. Thomson, Survivor vs. Pliffin Error vs. Benjamin F. Butler.	The motion to dismiss this cause was submitted to the consideration

633

of the Court on printed arguments by Mr. S. A. Somerby and Mr. L. S. Dabney in support of the same, and by Mr. Jas. Thomson and Mr. J. Hubley Ashton in opposition thereto.

Leopold Bamberger vs. Pliffin Error Geo. E. Terry, Receiver.	Mr. S. M. Kellogg presented the certificate of the Clerk, and

moved the Court that the writ of Error in this cause to the Circuit Court of the United States for the District of Connecticut be docketed and dismissed in pursuance of the 6th rule - Whereupon this Court not being now sufficiently advised of and concerning what order to render in the premises took time to consider.

8- Thomas E. Williams et al. vs. John Morris Exrs. et al. Appellants | On motion of Mr. H. A. Melon leave is hereby granted the Clerk to issue the Mandate in this cause.

80- The Imperial Fire Ins. Co. of London vs. Effin Error The S. Fargo, as Pres't of the American Merchants Union Express Co. | On motion of Mr. Neall H. Carpenter leave is hereby granted the Clerk to issue the Mandate in this cause.

	The Chicago & Northwestern Railway Company.	The motion to dismiss this cause was submitted to the consideration
115	vs. Appellee & Error,	
	D. J. McKinley.	

of the Court on printed arguments by Mr. C. P. Thomas in support of the same and by Mr. J. C. Cook and Mr. A. M. Hubbard in opposition thereto.

	Russell Sage et al Intervenors-	The motion
93	vs. Appellants.	to dismiss
	The Central Railroad of Iowa.	this cause

was submitted to the consideration of the Court on printed arguments by Messrs. Ashhurst, Bullitt, Cole, Turner and Lee, in support of the same, and by Mr. A. J. Condrey in opposition thereto.

	Russell Sage et al Intervenors	The motion
93	vs. Appellants	to vacate
	The Central Railroad of Iowa.	the supersedeas in

this cause was argued by Mr. N. B. Turner

and Mr. J. C. Bullitt in support of the same, and by Mr. A. T. Crowley and Mr. R. T. Merrick in opposition thereto.

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341 The American Emigrant Co. vs. The County of Wright. Appellant.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. C. C. Lamb and Mr. J. H. Harvey of counsel for the appellant and by Mr. C. C. Chase for the appellee, under the 32d Rule.

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356 Daniel F. Brawley and wife vs. The United States. Appellant

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. B. Sanborn of counsel for the appellant, and by Mr. Solicitor-General Phillips for the appellee, under the 32d rule.

The United States Ex rel: Wm. A. Johnson
600 vs Iliff in Error
The County Court of Clark County &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Grant, of counsel for the plaintiff in error, and by Mr. George H. McCrary, for the defendant in error, under the 20th Rule.

The St. Clair Turnpike Co.
765 vs. Iliff in Error
The People of the State of Illinois, Ex rel: John B. Bowman &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John A. Cobb and Mr. John C. Orrick, of counsel for the plaintiff in error and by Mr. Lyman K. Elwell, for the defendant in error, under the 20th Rule.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock M.

Tuesday December 11th. 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan

} Associate Justices

John F. Coyle, Esquire, Marshal.
David Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Matt H. Carpenter it is ordered that George C. Hazelton, Esquire, of Boscobel, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Christian H. Lilienthal 137 vs. Kiff in Error The United States	Ordered that No. 158 be substituted for this cause and vice versa.

The Second National Bank of Louisville 115 vs. Kiff in Error The State National Bank of Newark N.J.	On motion of Mr. P. Phillips leave is hereby granted the Clerk to issue the Mandate in this cause.

The United States 195 vs. Plaintiff in Error Lewis Fox	On motion of Mr. Asst. Attorney General Smith, it is ordered that this cause be assigned for argument on the 17th instant.

William F. Cook and Enoch Totten 168 vs. Appellants Charles F. Tilley et al.	Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Su-

from Court of the District of Columbia, and on the authority of the appellants on file, and on motion of Mr. Enoch Totten, It is now hereordered, adjudged, and decreed by this Court that this appeal be, and the same is, hereby, dismissed with costs

(per Mr Chief Justice Taney)

William F. Cochran et al
vs. Appellants
Josiah N. Greer et al.

The motion to set aside the decree entered in this cause was argued by Mr. George Harding, in support of the same, and by Mr. Matt H. Carpenter in opposition thereto.

Henrietta Davidson Executrix &c.
vs. In Error
The Board of Administrators of the City of New Orleans

The argument of this cause was commenced by Mr. James C. Hall, of counsel for the plaintiff in error, & continued by Mr. F. Phillips

Thursday, December 11th, 1873. Continued

of counsel for the defendants in error, and by Mr. J. L. McPherson, for the plaintiff in error.

768	The St Clair Turnpike Co. vs. Piffin & Error. The People of the State of Illinois Ex rel: John B. Bowman	On motion of Mr F. Stanton it is ordered that the order submitting this cause under the 50th rule be, and the same is hereby, stricken out.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock

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Wednesday December 12, 1877

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate justices

John F. Hoolay, Esquire Marshal.
Daniel Kesley Middleton, Clerk.

Proclamation being made the Court proceeded

William G. Fennell		On motion of Mr.
314 vs. Appellant		A. H. Evans leave
Nicholas Seibert,		is hereby granted
		him to withdraw

Appellees Exhibit 6 from the files of this Court in this cause, upon leaving a receipt therefor. Said Exhibit to be returned in time for the argument of

this cause.

1871 | Hugh Lewis vs. Appellant / Nellon Marks | Mr Fillmore Beall of counsel for the appellee having filed and read in open Court the following certificate, to wit:

"Circuit Court of the United States for the Northern District of Illinois

Nellon Marks vs. Hugh Lewis Alexander Dellmuth Henry Doerill } In Chancery

Northern District of Illinois } ss

I William H. Bradley, Clerk of the Circuit Court of the United States for the said Northern District of Illinois do hereby certify that on the 31st day of June A.D. 1871, a decree was entered in said Court in the above entitled cause in favor of said Complainant, Nellon Marks, and against said defendants, Hugh Lewis, Alexander

Hall and Henry Gould, and that then upon, to wit, on said thirtieth day of June A.D. 1875, the said defendant Hugh Lewis prayed an appeal from said decree to the Supreme Court of the United States which was allowed by the Court upon the filing in said Court of a Bond in the sum of four thousand dollars; that afterwards, to wit, on the 21st day of August A.D. 1875, said defendant Hugh Lewis filed in said Circuit Court his supersedeas Bond in said cause which was thereupon approved by this Court and said appeal duly allowed; all of which appears from the files and records of said Circuit Court remaining in my custody and control.

Witness my hand and the seal of said Circuit Court at Chicago in said District this twenty second day of October A.D. 1877.

(Seal)

Wm. H. Bradley
Clerk."

And having stated that the appellant

had altogether failed to file the record of said cause in this Court, or in any way to prosecute said appeal, now on motion of the Court, in pursuance of the 9th Rule of this Court, it is ordered that this appeal be docketed and dismissed. It is further ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Northern District of Illinois be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

(Per Mr. Chief Justice White.)

1911. Hugh Lewis vs. Kellon Marks. Appellant

On motion of Mr. Fillmore Beall leave is hereby granted the Clerk to issue the Mandate in this cause.

Wednesday December 12th 1855 continued.

33. Henrietta Davidson Executrix &c. vs. Elgin Error The Board of Administrators of the City of New Orleans.

The argument of the causes concluded by Mr. J. M. Bronson of counsel for the plaintiff in error.

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131. The Steamer Ariadne Jonathan Mallory Claimant vs. Appellant Archibald M. Pentz Jno. Pentz, Jno. J. Williams, H. H. Dixon, James A. Curtis, & William J. Donald

Appeal from the Circuit Court of the United States for the Southern District of New York

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

By the Chief Justice Taney

Thursday, December 13th, 1877, Continued.

Wm. M. Herrington
616 vs. Plff in Error
The State of Tennessee et al.

S. H. Dunscomb
617 vs. Plff in Error
The State of Tennessee et al.

M. J. Nicks
618 vs. Plff in Error
The State of Tennessee et al.

J. C. Seely
619 vs. Plff in Error
The State of Tennessee et al.
And
Napoleon Hill et al
661 vs. Plff in Error
The State of Tennessee et al.

On motion of Mr. R. E. Myers, Ordered that the counsel be allowed in behalf of the plaintiffs in error in the argument of these cases.

Thursday December 12th, 1877. Continued.

Wm. M. Tunnicliffe
646 vs Riggin Exor
The State of Pennsylvania.
B. A. Linnard
647 vs. Riggin Exor
The State of Pennsylvania.
M. Y. Hicks
648 vs. Riggin Exor
The State of Pennsylvania.
J. C. Neely
649 vs. Riggin Exor
The State of Pennsylvania.
And
Napoleon Hill et al
661 vs. Riggin Exor
The State of Pennsylvania

The arguments in these cases were commenced by Mr. D. E. Hyatt, of counsel for the plaintiffs in error in No. 661, continued by Mr. J. C. Knox for the defendants in error, by Mr. H. C. Fahnestock for the plaintiffs in error in Nos. 646, 647, 648 & 649 and by Mr. J. Weikel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday December 13th 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

Martin Kelly et al. Intervenors &c. Appellants
vs.
Philo C. Calhoun and Louis A. Meyer, Trustees &c.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. Hall Key of counsel for the appellants, and by Mr. Josiah Pierson for the appellees.

under the 20th Rule.

Wm. M. Farrington
6Mo w. Riggin Error
The State of Tennessee
S. A. Kinnaird
447 w. Riggin Error
The State of Tennessee.
M. J. Fields
448 w. Riggin Error
The State of Tennessee.
J. C. Neely
6Mo w. Riggin Error
The State of Tennessee.
And
Napoleon Hill et al.
661 w. Riggin Error
The State of Tennessee

The argument of these causes was continued by Mr. J. Hickell of counsel for the defendant in error, and concluded by Mr. L. G. McKissick of counsel for the plaintiff in error.

Griffith L. Neal
127 w. Riggin Error
L. Scruggs et al Executors.

(Substituted for No. 130.)
This cause was argued by Mr. H. M. Manny of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

	Charles S. Hallam	This cause was sub-
31	vs. Appellant	mitted to the con-
	S. D. Loomis et al.	sideration of the
		Court on the record

and printed arguments by Mr. John A. Morgan of counsel for the appellants, and by Mr. F. Phillips and Mr. H. A. Maury, for the appellees.

	The Union Mutual	The argument
	Life Insurance Co.	of this cause
135	vs. Error to	was commenced
	Daniel A. Maury.	by Mr. C. A.
		Peabody of

counsel for the plaintiff in error, and continued by Mr. J. J. Storrow, for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock M.

Friday December 14th, 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan.
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Kesley Middleton Clerk.

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr. R. T. Merrick it is ordered that Warren C. Stone, Esquire, of Washington City, District of Columbia be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Friday December 14th 1877, Continued-

On motion first made to the Court in this behalf by Mr. Spielman Attorney General Smith it is ordered that Austen G. Fox, Esquire of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. T. Hereford it is ordered that Robert S. Brown Esquire, of Ravenswood, Jackson Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Elisha Morrow
vs. Appeal from Circuit
Emmeline Whitney et al. Court

On motion of Mr. M.H. Carpenter leave is hereby granted the Clerk to issue the Mandate in this cause.

Friday December 14th 1877. Continued.

William H. Cook and Enoch Tollen vs. Chas. F. Tilley et al.	On motion of Mr. A. J. Merrick leave is granted the Clerk to issue the Mandate in this cause.

The Union Mutual Life Insurance Co. vs. Hyffin Error Daniel A. Mowry.	The arguments of this cause was continued by Mr. J. J. Storrow of Counsel for the defendant in error, and concluded by Mr. S. F. Thurston for the plaintiff in error.

Pedro Chaboya et al vs. Hyffin Error David Umbarger et al.	(Continued from p. 157.) This cause was argued by Mr. S. C. Houghton of counsel for the plaintiff in error and by Mr. William Matthews for the defendants in error.

Friday, December 11th 1874. Continued.

The South National Bank of Baltimore for Relief.
135 vs. Appellants
Richard Hammond, Assignee &c.

The argument of this cause was commenced by Mr. H. J. Underhood of counsel for the appellants, continued by Mr. Austen G. Fox, of counsel for the appellees, and concluded by Mr. H. J. Underhood for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock M.

Monday, December 17th. 1877.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan

} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Newton Middleton, Clerk

Proclamation being made the Court opened

On motion first made to the Court in that behalf by Mr. Assistant Attorney General Smith it is ordered that S. F. Tracy Esquire, of Brooklyn State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Hon. T. G. Thurman it is ordered that E. D. Finley, Esquire of Dayton, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that Cicero H. Pattison, Esquire, of St Louis State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1311 — J. Simeon Chubb — vs. — Clark N. Kepler, Agent of the Great Western Insurance Company, a Bankrupt.

In Error to the Circuit Court of the United States for the Eastern District of Michigan.

This cause came on to be heard on the transcript of the record from the Cir-

cuit Court of the United States for the Eastern District of Michigan and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Michigan.

per Mr. Justice Hunt

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76 | Thomas L. Clark, Appellant vs. The United States | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed. And that

this cause be, and the same is hereby, remanded to the said Court of Claims with directions to enter a judgment in accordance with the opinion of this Court.

Per Mr. Justice Bradley.

Wm. S. Cochrane et al. Appellants
vs.
Josiah H. Deener et al.

On consideration of the motion to set aside the decree in this cause and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied. Costs to be paid by the petitioners.

Per Mr. Justice Bradley.

Samuel N. Thatcher
vs.
Samuel Kercheval

In Error to the Supreme Court of the Territory of Colorado.

This cause came on to be heard on the transcript of the record from the Su-

Supreme Court of the Territory of Colorado, and was argued by Counsel. On consideration whereof it is now here ordered, and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs. And that this cause be, and the same is hereby remanded to the Supreme Court of the State of Colorado.

Per Mr. Justice Strong.

101. The Jefferson City Gas Light Co. vs. Plff in Error, Freeman Clark & The City of New Orleans. And

257. The City of New Orleans vs. Plff in Error, Freeman Clark & The Jefferson City Gas Light Co.

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

District of Louisiana on writ of Error and cross writ, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Louisiana.

Per Mr. Justice Field

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129 | The County of Macon vs. James F. Shores. | In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered

and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

(per Mr. Justice Swayne.)

The United States
No. vs. Appellant
The Brig "Isaac Lothrop"
vs. Nathaniel Hazelwood,
Claimant.

Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and was argued by Counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed. (per Mr. Justice Clifford.)

Monday, December 17th. 1877. Continued.

The United States vs. William Smith. | On a certificate of division in opinion between the judges of the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the point or question on which the judges of the said Circuit Court were opposed in opinion and which was certified to this Court for its opinion, agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, it is the opinion of this Court that the act in question does not apply to coastwise voyages from one port to another on our Atlantic coast.

Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

Per Mr. Justice Clifford.

Louis Siegdoll and Charles Bolles. vs. Kiffs in Error.	In Error to the Circuit Court of the United States for the Eastern District of Pennsylvania.
113. Wm. J. Pollock Collector of Internal Revenue.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

The Chicago & Northwestern Railway Company. vs. Kiffs in Error,	On consideration of the motion to dismiss the writ of error
115. S. J. McKinley.	

in this cause, with which is united a

a motion to affirm the judgment, and of the arguments of counsel thereupon had, as well in support of as against the same, it is now here ordered by the Court that said motions be, and the same are hereby, denied.

Per Mr. Chief Justice Waite

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203. The City of Elizabeth vs. The American Steel Pavement Co. Appellant

On motion of Mr. P. Phillips leave granted to file stipulation of counsel and addition to record in this case.

1990. Samuel P. Linahan vs. James E. Sears & wife. Appellant

Mr. R. T. Merrick having suggested that the appellant was prepared to file the record and have this cause docketed pursuant to the rules of this Court, moved the Court to rescind and annul the order of this Court entered on the 19th day of November last, docketing and dismissing this

appeal. On consideration whereof, it is now here ordered by this Court that the order of the 19th of November last docketing and dismissing this appeal be, and the same is hereby, rescinded and annulled; And that the appellant have leave to file his record and docket his cause in conformity to the rules of this Court upon payment of costs

per Mr. Chief Justice Waite

John Turnbull Jr. vs. Affirmance Jos. R. Pierson, Assignee	On motion of Mr. R. T. Merrick leave is hereby granted the Clerk to issue the Mandate in this cause.

John Young, Trustee in Bankruptcy of Alexander Collie, a Bankrupt. vs. The United States	Appellant Mr. Assistant Attorney General Brief filed and submitted to the consideration of the Court motion to advance this cause

The United States 194. vs. Appellant Irving F. Wilcox.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Phillips, of counsel for the appellant, and by Mr. F. G. Kimball, for the appellee, under the 20th Rule.

The Mutual Life Insurance Company of New York. 93. vs. Appellant J. Morrison Harries, Assignee &c.	On motion of Mr. E. O. Hinkley leave is hereby granted him to file record from the Supreme Court of the State of New York in this cause; and on the motion of Mr. Davies leave is hereby granted him to file opinion of the Court of Appeals of New York in this cause.

1007	M. Holyetal vs. Pfifin Error Louis Fix et al.	The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. Josiah Patterson in support of the same and by Mr. H. M. Randolph in opposition thereto.

1008	The Northwestern Mutual Life Insurance Company vs. Pfifin Error Florida Railroad use &c. And	The motion to dismiss these causes were submitted to the consideration of the Court on printed arguments by Mr. Josiah Patterson,
1009	The Northwestern Mutual Life Insurance Company. vs. Pfifin Error E. C. & C. H. Martin	

in support of the same and by Messrs. H. P. Lynde, L. D. McKissick, and Estes & Elliott, in opposition thereto.

Morris Kelchum et al
vs. Appellants
Wm B. Duncan et al.

On motion of Mr. E. L. Andrews, it is ordered that the motion to vacate the order heretofore entered suspending the operation of the Supersedeas in this cause be assigned for argument on the 14th January, 1878.

Rodolph Merian et al
vs. Appellants
Wilson, Iselin, & Duncan et al.

On motion of Mr. W. Y. C. Humes, it is ordered that the motion to modify the Supersedeas granted in this cause be assigned for argument on the 14th of January, 1878.

The Gulf, Western Texas,
& Pacific Railway Co.
152 vs. Plff in Error
John McMahan

In Error to the Circuit Court of the United States for the Eastern District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Eastern District of Texas, and on the motion of Mr. H. P. Ballinger, of counsel for the plaintiff in error, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

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995 — The United States, Plaintiff, vs. Lewis Fox | (Argued.) This cause was argued by Mr. Assistant Attorney General Smith, of counsel for the plaintiff, and by Mr. B. F. Tracy, of counsel for the defendant.

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153 — Dexter G. Hitchcock et al. Plffs in Error vs. The City of Galveston. | On motion of Mr. S. S. Henkle, ordered that one half hour additional time be allowed each side in the argument of this cause.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Tuesday, December 18th 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Hesley Middleton, Clerk.

Proclamation being made the Court is opened.

1113. Leopold Bamberger vs. Affirm Error
George E. King, Receiver.

Mr. S. H. Kellogg, of counsel for the defendant in error having filed and read in open Court the following certificate, to wit:

"Circuit Court of the United States for the
District of Connecticut.

George E. Terry, Receiver.
vs.
Leopold Bamberger.

I Edwin E. Mannin, Clerk of the Circuit Court of the United States for the District of Connecticut, do hereby certify that in a certain action depending in said Court at the April Term 1874 in which George E. Terry Receiver was plaintiff, and Leopold Bamberger was defendant judgment was rendered at said term, to wit, on the 31st day of May 1874, for the plaintiff for the sum of Eight Thousand two hundred fifty seven & 50/100 ($8257.50) dollars damages and costs of suit taxed and allowed at fifteen & 65/100 ($15.65) dollars. That within sixty days thereafter exclusive of Sundays, said defendant prayed out his Writ of Error returnable to the Supreme Court of the United States to be held at Washington District of Columbia on the

second Monday of October A. D. 1877. and filed his bond with surety to the acceptance of the judge of said Circuit Court. that thereupon on said 18th day of July, 1877. citation was issued summoning said Geo. E. Terry, Receiver, defendant in Error, to appear before said Supreme Court of the United States to be holden at Washington on the 2d Monday of October A. D. 1877.

In testimony whereof I have caused the seal of said Court to be hereunto affixed at the City of Hartford in the District of Connecticut this 27th day of November in the year of our Lord one thousand eight hundred and seventy seven and of the Independence of the United States the one hundred and second.

(Seal)

Edwin E. Marvin
Clerk."

and having stated that the plaintiff in error had altogether failed to file

the record of said cause in this Court, or in any way to prosecute said writ of error; now here moved the Court, in pursuance of the 9th Rule of this Court, to have the writ of error in this cause docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the District of Connecticut be, and the same is hereby docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

George H. Quinland for plaintiff in error. Wm. A. Schnader, Esq. for Quinland, and James V. Hoyt impleaded with Samuel C. Staples

0114. vs. Affirmed.

The United States

Mr. Assistant Attorney General Smith, of counsel for the defendant in error. Having filed and read in

open Court the following certificate to wit
"U.S. Circuit Court
S. Dist. of New York."

The United States
vs.
George H. Quinland,
Cornelius A. Schuyler,
C. A. Quinland and James
A. Hoyt, impleaded with
Samil C. Staples.

I John S. Davenport,
Clerk of the Circuit Court of the United
States in and for the Southern District
of New York, do hereby certify that on the
22d day of May 1876 judgment was
entered in this Court in the above
entitled suit in favor of the United
States for the sum of Five thousand
nine hundred twenty three and 67/100 dol-
lars, ($5923.67/100) the said action being
upon the official bond of Samuel
C. Staples late additional Paymaster
in the Army of the United States.

That on the 31st day of May

1876, the defendants sued out a Writ of Error in said cause and lodged a copy thereof in the Clerk's office for the plaintiff. And on the same day a citation was also issued and filed with the proof of service.

That afterwards, to wit, on the 3d day of October 1876 and in obedience to said writ of Error caused the record or return in said cause to be transmitted to the Clerk of the Supreme Court of the United States at Washington D.C.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said Circuit Court this 22d day of November A.D. 1877.

(Seal)

John S. Davenport
Clerk

and having stated that the plaintiffs in error had altogether failed to file the record of said cause in this Court, or in any way to pros-

vent said writ of error, now here moved the Court, in pursuance of the 9th Rule of this Court, to have this writ of error docketed and dismissed. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Southern District of New York be, and the same is hereby, docketed and dismissed. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

Dexter G. Hitchcock Adm'r. &c. vs. Plaintiff in Error
153. Peyton in Error
The City of Galveston.

The argument of this cause was commenced by Mr. F. Charles Hume, of Counsel for the Plaintiff in Error, and continued by Mr. H. P. Billinger & Mr. Ed. Flournoy for the Deft in Error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Wednesday December 19th 1877

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay Esquire, Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. S. T. Hollis it is ordered that Charles Marshall Esquire, of Baltimore, State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

108	John K. Kennedal vs. Hffs in Error John K. Campbell et al.	On motion of Mr. S. S. Henkle leave is hereby granted the Clerk to issue the Mandate in this cause.

611	The Board of Commissioners of the County of Dodge vs. Hffs in Error George S. Chandler	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. N. A. Marlow, of counsel for the plaintiffs in error, and by Mr. N. H. Munger, for the defendant in error, under the 20th Rule.

153	D. G. Hitchcock et al vs. Hffs in Error The City of Galveston et al.	The argument of this cause was continued by Mr. George Flournoy, of counsel for the defendant in error, and concluded by Mr. S. S. Henkle for the plaintiffs in error.

	The Steamtug "Virginia Ehrman &c."	The argument of this cause was commenced by Mr. A. McStroud, for Curtis et al, and continued by Mr. S. T. Wallis, for Steamtug "Virginia Ehrman" &c., and by Mr. Charles Marshall, for the Ship "Agnese" &c.
140.	vs. Appellants	
	John B. Curtis et al	
	John B. Curtis et al	
147.	vs. Appellants	
	The Steamtug "Virginia Ehrman" &c.	
	The Ship "Agnese" &c.	
305.	vs. Appellants	
	John B. Curtis et al	

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday December 20th 1877.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Enoch Totten, it is ordered that C. C. Leeds, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

644	The City of Memphis vs. Allen & Riffin Exrs Talmadge & Brown	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. J. C. Humes of counsel for the appellant & plaintiff in error, and by Mr Wm. M. Randolph for the appellee and defendant in error, under the 20th Rule.

778	The United States Ex rel: J. E. Brown vs. Riffin Exr The City of Memphis et al	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Wm. M. Randolph, of counsel for the plaintiff in error, and by Mr. H. J. C. Humes and Mr. S. P. Walker, for the defendants in error under the 20th Rule.

941	The City of Memphis et al vs. Riffin Exr The United States, Ex rel: J. E. Brown.	This cause was submitted to the consideration of the Court on

the record and printed arguments by Mr. W. G. Humes and Mr. S. F. Walker, of counsel for the plaintiffs in error, and by Mr. Wm. M. Randolph, for the defendant in error, under the 20th Rule.

The North British and Mercantile Insurance Co. vs Piffin in Error John Horree.

1777

In Error to the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and on the motion of Mr. J. Hubley Ashton, of counsel for the plaintiff in error, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

Thursday, December 20th, 1855, continued.

	The Steamboat "Virginia Ennan" &c,	The argument of these cases was continued by Mr. Charles Marshall, of counsel for the Ship "Agnese" &c. and concluded by Mr. J. Neville Peale for Curtis et al.
140.	vs. Appellants	
	John B. Curtis et al	
	John B. Curtis et al	
147.	vs. Appellants	
	The Steamboat "Virginia Ennan" &c.	
	The Ship "Agnese" &c	
305.	vs. Appellants	
	John B. Curtis et al	

	Washington Ford,	The argument of this cause was commenced by Mr. R. D. Mussey, of counsel for the plaintiff in error, and continued by Mr. H. J. Martin of counsel for the defendant in error.
5.	vs. Writ in Error	
	James Buget,	

Thursday, December 20th, 1877, Continued

1115 Thomas S. Dobbins vs. The United States — In Error

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. A. L. Merriman and Mr. R. G. Ingersoll of counsel for the plaintiff in error, and by Mr. Assistant Attorney General Smith, for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday December 21st 1877

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R. Waite Chief justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate justices

John F. Hoyley Esquire, Marshal
David Wesley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. H. C. Claughton it is ordered that Charles E. Stuart Esquire, of Alexandria State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Samuel T. Austin & S. Brown.	On motion of
121	vs. Pltffs in Error	Mr. Joseph
	S. A. Spafford & E. D. Clark.	Casey leave
		is hereby

granted the Clerk to issue the Mandate in this cause.

	Daniel Mitchell	On motion of Mr.
116	vs. Appellant	Conway Robinson
	Catherine Moore &c.	leave is hereby granted

the Clerk to issue the Mandate in this cause.

	Washington Ford	The argument of
5	vs. Pltff in Error	this cause was
	James Sluget	concluded by Mr.
		R. D. Mussey. of

counsel for the plaintiff in error.

	Thomas S. Lobbins &al	Ordered that
1141	vs Pltffs in Error	these causes be,
	The United States	and the same
1142.	Same vs. Same	are hereby
1143.	Same " Same	passed-
1144.	Same " Same.	

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167. The First National Bank of Kansas City vs. Affin Error The Hartford Fire Ins. Co. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John K. Cravens, of counsel for the plaintiff in error, and by Mr. J. C. Engel for the defendant in error.

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116. Oakes Ames et al vs. Affin Error Shubod L. Grimby. | This cause was argued by Mr. M. J. Smiley, of counsel for the plaintiffs in error, and by Mr. L. G. Norris, for the defendant in error.

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118. George N. Dial et al vs. Appellants N. B. Reynolds et al. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. M. Thornburg, of counsel for the appellants. No counsel appearing for the appellees.

Friday, December 21, 1877, Continued-

N. K. Burdelle, Plff in Error vs. Bartlett, Robbins & Co	This cause was argued by Mr. A. C. Bradley of counsel for the defendants in error, and submitted on printed argument by Mr. H. F. Mattingly, for the plaintiff in error.

Proclamation being made the Court is adjourned until Monday the seventh of January, 1878, at twelve o'clock.

Monday, January 7th, 1878

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate justices

John G. Nicolay, Esquire, Marshal,
Daniel Taylor, Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. John E. McPherson it is ordered that Thorndike Saunders, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton it is ordered that Llewellyn H. Linn Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The South National Bank of New York, Walter F. Brennan, Sheriff &c.

vs.

Richard Warren & Edward Newell Assignees of Edmund P. Sanger & Walter Scott, Bankrupts

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court

that the decree of the said Circuit Court in this cause be and the same is hereby reversed with costs; and that this cause be and the same is hereby remanded to the said Circuit Court with directions to enter a decree affirming the decree of the district court.

Per Mr. Justice Hunt

Walter N. Burdette
1469 v. Appeal from Error
David L. Bartlett and
Horace H. Robbins, as
Bartlett, Robbins & Co.

In Error to the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Hunt

Caleb Ames, Oliver Ames Jr, Caleb T. Ames, Frederick Ames & Oliver Ames 3rd.	In Error to the Circuit Court of the United States for the Western District of Michigan.
1116 vs Pippin Ewen Schabed L. Quimby	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan and was argued by counsel. On consideration whereof, it is now ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Hunt.

The Grand Trunk Railway Company of Canada. vs. Alfred Stevens. | Error to the Circuit Court of the United States for the District of Maine.

134

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maine, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Maine.

Per Mr. Justice Bradley.

Daniel F. Bradley for use of Nathan Myrick vs. The United States. | Appeal from the Court of Claims.

356.

Monday, January 5th 1885 Continued-

This cause coming on to be heard on the transcript of the record from the Court of Claims and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed-

Per Mr. Justice Bradley-

The Board of County Commissioners of the County of Dodge.
vs. } In Error
Jesse B. Strandled. } to the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is, hereby, affirmed with costs and interest, until paid at the same rate per annum-

that similar judgments bear in the Courts of the State of Nebraska.

per Mr. Justice Bradley

600 The United States Exrel: William A. Johnston vs. Iffin Error to the County Court of Clark County & the Justices thereof. In Error to the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby remanded to the said Circuit Court with instructions to give judgment on the demurrer to the return against the respondents.

per Mr. Justice Strong

Dissenting:
Mr. Chief Justice Waite
" Justice Miller

131

The Hannibal & St. Joseph Railroad Company	In Error to the Supreme Court of the State of Missouri.
vs.	
John F. Hussey.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Supreme Court with instructions to reverse the judgment of the Circuit Court of Grundy County and to direct that Court to award a new trial.

Per Mr. Justice Strong.

The United States Ex rel: William H. Johnston vs. Iffin Error	In Error to the Circuit Court of the United States for the Eastern
102. The County Court of Clark County & the justices thereof-	District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs.

per Mr. Justice Strong

The United States vs. Appellant	Appeal from the Court of
794 Irving F. Wilcox	Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here

ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Mr. Justice Gray

995	The United States vs. Lewis Fox.	On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Southern District of New York.

This cause came to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the point or question on which the judges of the said Circuit Court were opposed in opinion, and which was certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by counsel. On consideration whereof, it is the opinion of this Court that the question certified must be answered in the negative. Whereupon it is

now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr. Justice Field

The Chicago Rock Island & Pacific Railroad Co. Plff in Error vs Hamilton Houston et al	In Error to the Circuit Court of the United States for the Western District of Missouri

109

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Field

Henrietta Davidson,
Testamentary Executrix of
John Davidson, deceased.
33 vs. } In Error.
The Board of Administrators of the City of New Orleans
& The City of New Orleans.

} In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Miller.

Thaddeus C. Pound, Thomas L. Hulbert & Albert C. Pound.
125 vs. } In Error,
James S. Finch & John C. Ireland, Assignees of the estate of John C. Finch, Jacob F. Foward & F. L. Giddings, [illegible]

} In Error to the Circuit Court of the United States for the Eastern District of Wisconsin.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Wisconsin, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs; And that this cause be, and the same is hereby remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Miller.

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123. George M. Laughlin, for Pl'ff in Error, vs. Charles M. Laughlin. | In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court

in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Miller.

1019 Martin Kelly et al Intervenors vs. Appellants / Appeal from the Circuit Court of the United States for the Western District of Tennessee.
Philo C. Calhoun and Lewis H. Meyer, Trustees.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. justice Swayne.

Monday January 7th 1850. Continued.

The Steam tug "Virginia Sherman" &c.
Frederick Sherman and Claimants.
140 vs. Appellants
John B. Curtis et al. trading as
Curtis, Fobes & Co.

Appeals from the Circuit Court of the United States for the District of Maryland

John B. Curtis, Charles Fobes,
& George C. Fobes
147 vs. Appellants
The Steam tug "Virginia Sherman" &c.
F. Sherman et al, Claimants, & The
Ship "Agnes" &c. C. Callejaun et al,
Claimants.
And
The Ship "Agnes" her tackle &c. C. Callejaun et al,
Claimants.
305 vs. Appellants.
John B. Curtis, Charles Fobes,
& George C. Fobes

These causes came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and were argued by Counsel. On consideration whereof, it is now here

ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in these causes be, and the same is hereby, so modified as to direct that if either of the faulty parties is unable to pay the whole of his moiety, it is the right of the injured party to collect the balance of the other faulty party under the conditions specified in the Opinion of this Court — in all other respects the decree is affirmed with interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of Maryland. Costs in this Court to be paid by the appellants in No. 116, the appellees in No. 117, and the appellants in No. 305.

Per Mr. Justice Clifford.

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133 | The United States vs. Plaintiff in Error Walter Mann. | In Error to the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota,

and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Clifford.

Thomas S. Lobbins		In Error to the Cir-
115.	vs.	cuit Court of the
The United States	In Error	United States for the
		District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and was argued by Counsel On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed.

per Mr. Justice Clifford.

William McGarraban	In Error to the Su-
77 vs. Affirmed in Error	preme Court of the
The New Idria Mining Co.	State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite

Mr. Justice Field took no part in the decision of this cause.

The Natoma Water &	In Error to the Su-
Mining Company.	preme Court of the
133 vs. Affirmed in Error	State of California.
B. F. Bugbey.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On

consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby affirmed with costs

per Mr. Chief Justice Waite

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156 John L. T. McAllister vs. Hoffin & Error / Bertrand Kuhn | In Error to the Supreme Court of the Territory of Utah

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Utah and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite

	Alexander A. Thompson, Survivor of Alexander A. Thompson & Company	In Error to the Circuit Court of the United States for the District of Massachusetts.
633	vs.	
	Benjamin F. Butler.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the motion filed to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite

1008. The Northwestern Mutual Life Insurance Company vs. Florida Hellborn use of E. Martin & E. H. Martin. | In Error to the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee and on the motion of Mr. Tallison to dismiss which was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be and the same is hereby dismissed for the want of jurisdiction.

per Mr. Chief Justice Fuller.

1009. The Northwestern Mutual Life Insurance Company. vs. E. Martin & E. H. Martin. | In Error to the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the Western District of Tennessee and on the motion of Mr. Pallerson to dismiss which was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite.

The Staten Island Railway Company.
vs. In Error to the
Bridget Lambert, Admx of Charles Lambert, deceased. Supreme Court of the State of New York.

117

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of New York, being possessed of the record and proceedings upon a remittitur from the Court of Appeals of the State of New York, and on the motion of Mr. Goodrich to dismiss which was argued

by counsel On consideration whereof, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for want of jurisdiction.

per Mr. Chief Justice Waite.

M. Wolf, Elias Lowenstein & Leon Helman vs. Plffs in Error.
Louis Slix et al. vs Louis Slix & Company.

In Error to the Supreme Court of the State of Tennessee

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee and on the motion filed by Mr. Tillotson to dismiss which was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Waite.

(937) Russell Sage et al, vs. The Central Railroad of Iowa et al, Appellants

On consideration of the motions to dismiss this appeal and to vacate the Supersedeas in this cause, and of the arguments of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motions be, and the same are hereby, denied.

per Mr. Chief Justice Waite

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(938) John Young, Trustee in Bankruptcy of Alexander Collie, a Bankrupt, vs The United States, Appellant

On consideration of the motion to advance this cause, it is now here ordered by the Court that said motion be, and the same is hereby, granted.

per Mr. Chief Justice Waite

1040 — The Fluid Kapersetab et al. vs. The Hinckley Locomotive Works. Appellants

On motion of Mr. R. Riddle Ordered that twenty days be allowed him to file brief in these cases after receipt of the printed records.

1029 — Wm. R. Fosdick et al. vs. The Southwestern Car Company, Intervenor. And Wm. R. Fosdick et al. vs. Michael Schall, Intervenor. Appellants

1054 — Edward Trinson vs. Effie Error Thomas Alsop, Assignee in Bankruptcy. In Error to the Supreme Court of the Territory of Wyoming.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Wyoming and on motion of Mr. S. Shellabarger, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court

that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

The Baltimore & Ohio Railroad Company, Plff in Error,
686 vs.
The State of Maryland.

Mr. S. T. Hallie, submitted to the consideration of the Court motion to advance this cause.

Eliza P. Lawrence, Plff in Error
1033 vs.
John L. A. Ballou, Hiram Tibbs, Alfred L. Tibbs, Nathan Davidson, E. A. Parker, J. C. Birdseye, Edward Ellis, A. Fuller, John Doe, Richard Roe, & others names unknown.

Mr. A. H. Sargent, of counsel for the defendants in error, having filed and read in open Court the following certificate, to wit:

"In the Supreme Court of the State of California.

Eliza P. Lawrence
Plaintiff & Appellant
vs. No. 1,053
John D. A. Ballou, Hiram Tubbs, Alfred
L. Tubbs, Nathan Davidson, E. H. Parker, J. C.
Birdseye, Edward Ellis, Idonia Fulton,
John Doe, Richard Roe, James Eyles, Sylvia
Ann Smith, John Pellman, George Wa-
slow, John Barstow, Wm. Smith, George
Smith, Peter Smith, Robert Smith, Thomas
Jones, George Jones, John Job, Peter Job,
George Job, Silas Hare, whose real names
are unknown, defendants & respondents

I, D. S. Hoag, Clerk of the Supreme
Court of the State of California, do hereby
certify that in a cause depending in
said Court wherein Eliza P. Lawrence
was plaintiff & appellant, and John D.
A. Ballou et al., were defendants,
and respondents, judgment was ren-
dered on the 22d day of October A. D.
1855, in favor of the said John D. A.
Ballou, Alfred Barstow, Nathan
Davidson, Alfred L. Tubbs, Hiram Tubbs,
H. S. Spinney, San Francisco Cordage Co.

pany, J. B. Fulton, Harriet Peachy, Administratrix of H. L. Peachy, deceased, Casimer Ereeson and John Barstow, defendants and respondents, and against the said Eliza P. Lawrence, plaintiff and appellant Whereupon the said Eliza P. Lawrence, plaintiff and appellant, sued out a Writ of Error to said Supreme Court, which was duly allowed, directed to remove the said cause to the Supreme Court of the United States, the said Writ bearing date the 3d day of November A. D. 1873.

In testimony whereof I have hereunto set my hand and the seal of said Court at San Francisco this 19th Day of December, A. D. 1873.

(Seal)

D. B. Woolf
Clerk Supreme Court of California.

and having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court, or in anyway to prosecute

said writ of error, now here moved the Court, in pursuance of the 9th Rule of this Court, to have the writ of error in this cause docketed and dismissed - On consideration whereof, It is now here ordered and adjudged by this Court that the writ of Error in this cause to the Supreme Court of the State of California be, and the same is hereby, docketed and dismissed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Field.

1033 Eliza P. Lawrence vs. John D. A. Ballou et al. Pltff in Error

On motion of Mr. A. A. Sargent, leave is hereby granted the Clerk to issue the Mandate in this cause.

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100. Emmet Woodward vs. The Pulaski Mining & Smelting Company Appellant

On motion of Mr. A. A. Sargent leave is hereby granted the Clerk to issue

the Mandate in this cause.

539	George N. Jones vs. The United States	Appellant	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. James Lowndes, of counsel for the appellant, and by Mr. Solicitor General Phillips, of counsel for the appellee, under the 20th rule.

115	The Eastern Transportation Line vs. Pettis K. F. Hope.	Error	On motion of Mr. James Lowndes, leave is hereby granted the Clerk to issue the Mandate in this cause.

705	The City Council of Alexandria vs. Orlando Fairfax.	Error	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. S. F. Beach & Mr. Charles C. Stuart, of counsel for the plaintiff

in error, and by Mr. John Johns Jr. and Mr. C. V. Walker for the defendant in error under the 20th Rule.

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715 The Knickerbocker Life Insurance Company, vs. Affirm Error Rhoda A. Norton.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. H. F. Miller and Mr. Wm. G. Frost of counsel for the plaintiff in error, and by Mr. C. P. McConnell for the defendant in error, under the 20th Rule.

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718 The Mobile Life Insurance Company vs. Affirm Error Samuel D. Brannen

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr Charles C. Tennent of counsel for the plaintiff in error, and by Mr. John M. Kennard, for the defendant in error, under the 20th Rule.

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168 The St. Clair County Turnpike Company vs. Error in The People of the State of Illinois, Use'd: John B. Bowman.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. John M. Noble, and Mr. John C. Orrick, of counsel for the plaintiff in error, and by Mr. James K. Edsall, of counsel for the defendant in error, under the 20th Rule.

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150 The Richmond Fredericksburg & Potomac Railroad Co. vs. Error in The City of Richmond

The argument of this cause was commenced by Mr. Leigh Robinson of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, January 8th 1878

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal,
Daniel Brodhead Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. H. Watson it is ordered that Hicks S. Leggett, Esquire, of Cleveland, State of Ohio, and N. P. Seymour, Esquire, of Washington City, District of Columbia, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr R. T. Merrick, it is ordered that Melville C. Day, Esquire, of St Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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150. The Richmond Fredericksburg & Potomac Railroad Co. vs. Plff in Error
The City of Richmond,

The argument of this cause was continued by Mr. Leigh Robinson, of counsel for the plaintiff in error, by Mr. A. M. Keily, for the defendant in error, and concluded by Mr. Conway Robinson, for the plaintiff in error.

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139 Ellen Mullin Appellant,
vs.
The Steamtug Alfred & Edwin &c.

This cause was argued by Mr. F. A. Wilcox, of counsel for the appellant, & by Mr. Thorndike Saunders, of counsel for the appellee.

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156. The Teutonic Life Insurance Company. vs. Pitz in Error Frances L. McCain.

This cause was argued by Mr. John A. McPherson of counsel for the plaintiff in error, and by Mr. P. Phillips, for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M.

Wednesday, January 9th, 1878.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire Marshal
Daniel Wesley Middleton Clerk.

Proclamation being made the Courts opened.

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157 The Union Gold Mining Company of Colorado, vs. Kipp in Error / The Rocky Mountain National Bank of Central City, Colorado.

This cause was argued by Mr. R.N. Peckham of counsel for the plaintiff in error, and by Mr. J.M. Woolworth for the defendant in error.

Wednesday January 9th 1878 Continued.

137 Christian K. Lilienthal vs. The United States. | In Error

The argument of this cause was commenced by Mr. R. T. Merrick of counsel for the plaintiff in error, and continued by Mr. Assistant Attorney General Smith for the defendant in error.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Thursday, January 10th, 1878.

Pursuant to adjournment the Court met to day at the Capitol.

Present—

The Honorable Morrison R. Waite Chief Justice—

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John G. Nicolay, Esquire, Marshal—
Daniel Kelly Middleton, Clerk.

Proclamation being made the Court is opened—

On motion first made to the Court in this behalf by Mr. R. T. Merrick it is ordered that Charles H. Grosvenor, Esquire, of Athens, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thursday, January 10th, 1878, continued

Parnell Munson
1135 vs. Appellant
The Princeton Loan & Trust Co, William Kelsey Reed and George Scoville impleaded with Robert C. Wright, John A. Tyrrell, & James F. Hunt. —

Mr A. S. Merriam of counsel for the appellees having filed and read in open Court the following certificate to wit

"Circuit Court of the United States for the Northern District of Illinois —

Northern District of Illinois, ss:
I, William H. Bradley, Clerk of the Circuit Court of the United States for the Northern District of Illinois, do hereby certify that in the cause in Chancery in said Court wherein Parnell Munson was complainant and The Princeton Loan and Trust Company, William Kelsey Reed, and George Scoville impleaded with Robert C. Wright, John A. Tyrrell, and James F. Hunt were defendants, a decree of dismissal for

Equity, was entered in said entitled cause on the thirty-first day of July A.D. 1877, and that afterwards to wit on the 25th day of September, 1877, the said complainant prayed in open court an appeal from said decree to the Supreme Court of the United States which was allowed by the Court then and thereupon said complainant filing Bond in the penal sum of twenty five hundred dollars.

And that afterwards to wit on the 6th day of October 1877, said appeal bond was filed in said Court in said cause and approved by the Court, and said appeal duly allowed.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Circuit Court at my office in Chicago, in said District, this twelfth day of December A.D. 1877.

(Seal)

Wm. A. Bradley
Clerk"

and having stated that the appellant

had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal moved the Court, in pursuance of the 6th rule, to have this appeal docketed and dismissed. On consideration whereof, it is now here ordered, adjudged and decreed by this Court that this appeal from the Circuit Court of the United States for the Northern District of Illinois be and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby, remanded, to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite

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137 Christian H. Silkenthal vs Plaintiff in Error / The United States

The argument of this cause was continued by Mr. Assistant Attorney General Smith, of counsel for the defendant in error, and concluded by Mr. R. D. Merrick for the plaintiff in error.

Thursday, January 10th, 1867, Continued.

159 The United States
vs. Appellant
The State National
Bank of Boston
and
160 The Merchants National
Bank of Boston
vs. Appellant
The United States

These causes were argued by Mr. Solicitor General Phillips, of counsel for the United States, and by Mr. C. B. Goodrich & Mr. Sidney Bartlett of counsel for the Banks.

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161 The United States
vs. Appellant
N. J. Meigs &c.
162 The United States
vs. Appellant
Jackson Taylor
163 The United States
vs. Appellant
Hillary Grimes
and
164 The United States
vs. Appellant
Wm. A. Mulloy

These causes were submitted to the consideration of the Court on the records and printed arguments by Mr. Assistant Attorney General Smith of counsel for the appellant, and by Mr. J. T. Riddle & Mr. Francis Miller for the appellees.

Thursday January 10th, 1856. Continued.

F. D. Atherton et al. Executors &c. 165 vs. Plffs in Error John Fowler et al. And F. D. Atherton et al., Executors &c. 166 vs. Plffs in Error Welcome Fowler et al.	The argument of these cases was commenced by Mr. M. Blair, of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Friday January 11th 1878.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire Marshal

Daniel Newlin Middleton, Clerk &c.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr Enoch Totten it is ordered that Cushman K. Davis, Esquire, of St. Paul State of Minnesota, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wm. C. Murray 165 vs. Hyslop & Ewer The City Council of Charleston. Chas. D. Tillinghast. 166 vs. Hyslop & Ewer J. N. Duffy, Admr &c. And Thomas C. Jenkins vs. Hyslop & Ewer The City of Charleston	On motion of Mr. James Lynch it is ordered that these cases be assigned for re argument on the 5th of [illegible]

F. D. Atherton et al Executors &c 165 vs. Hyslop & Ewer John Fowler et al And F. D. Atherton et al Executors &c. 166 vs. Hyslop & Ewer Nelson Fowler et al.	The argument of this cause was concluded by Mr. S. F. Phelps of Counsel for the defendants

Stewart Ives 169 vs. Appellant Frances M. Olsen	Appeal from the Circuit Court of the United States for the Eastern District of Michigan

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Western District of Michigan and on the motion of Mr. Mattingly, of counsel for the appellee, it is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to allow the complainant to amend the bill of complaint in respect of the citizenship of the defendant and otherwise as he may be advised and to proceed accordingly.

per Mr. Chief Justice Waite

Record sent

M J

N. Appellant
Frances S. Silsbee.

On motion of Mr. R. H. Mattingly leave is hereby granted the Clerk to issue the Mandate in this cause.

Friday January 11th 1805 Continued.

168. William Godfrey Ad. &c. Appellants / Harvey Jenny. — The argument of this cause was commenced by Mr. A. J. Dallas of Counsel for the appellants, and concluded by Mr. L. H. Harrison of Counsel for the appellee.

1795 The United States &c. Plaintiff, / Lewis Fox. — On motion of Mr. Assistant Attorney General Smith Leave is hereby granted the Clerk to issue the Mandate in this cause.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

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Monday January 14th 1878

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices.

John F. Fielding Esquire Marshal

David Nevins Middleton Clerk

Proclamation being made the Court is opened.

On motion just made to the Court on this behalf by Mr. Assistant Attorney General Smith it is ordered that Benjamin F. Taylor Esquire of Taylor State of Texas and John A. Doyle Esquire of Verde State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hallabaugh it is ordered that Jos. Warren Keifer Esquire of Springfield, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. T. Phillips it is ordered that F. B. Fenton Esquire, of Saratoga, State of New York, and William H. Fuller of Esquire of St Paul State of Minnesota be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. James Longdon it is ordered that W. C. Young, Esquire, of Charleston, State of South Carolina, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. R. T. Merrick it is ordered that James T. Field Esquire of Richmond State of Virginia, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. C. Spencer it is ordered that J. H. Dale Esquire of Janesville, State of Wisconsin, be admitted to practice as an Attorney and Counsellor of this Court and he was sworn accordingly.

Pedro Chaboya, Salvador Chaboya et al.,
vs. Writ of Error
David Unbanger, Dennis Searby, William Sroall et al.

to the Supreme Court of the State of California.

153

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration

whereof. It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Miller.

Ferd. S. Dial and Lucius A. Shuttleworth. v. Appellants
Robert B. Reynolds, Joseph N. Cooper, John Hunnicutt et al.

Appeal from the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

Per Mr. Justice Swayne.

616 William M. Farrington vs. Tiffin & Lee — The State of Tennessee & The County of Shelby. | In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to enter a decree in favor of the plaintiff in error.

Per Mr. Justice Swayne

Dissenting:
Mr. Justice Strong
" " Clifford
" " Field.

S. H. Dunscomb vs. Plff in Error The State of Tennessee & The County of Shelby.	To Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court with direction to enter a decree in favor of the plaintiff in error.

Per Mr. Justice Swayne

Not sounding:
Mr. Justice Strong
" " Clifford
" " Field.

M. J. Mc Ke,	In Error to the
618 — vs. — In Error —	Supreme Court
The State of Tennessee &	of the State of
County of Shelby.	Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof it is now ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to enter a decree in favor of the plaintiff in error.

per Mr. Justice Swayne

Dissenting:
Mr. Justice Strong
" " Clifford
" " Field

Monday January 11th 1875. Continued.

p. C. Kelly
Plff in Error
The State of Tennessee and
The County of Shelby.

vs.

In Error to the Supreme Court of the State of Tennessee.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby remanded to the said Supreme Court with directions to enter a decree in favor of the plaintiff in error.

Per Mr. Justice Swayne.

Dissenting;
Mr. Justice Strong
" " Clifford
" " Field

Napoleon Hill and
The Memphis City Fire
and General Insurance
Company.

661. vs. In Error to
The State of Tennessee &
The County of Shelby.

The Supreme
Court of the
State of Tennessee

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Tennessee, and was argued by counsel On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; and that this cause be and the same is hereby remanded to the said Supreme Court with directions to enter judgment in favor of the plaintiffs in error.

per Mr. Justice Swayne

Dissenting
Mr. Justice Strong
Clifford
Field.

Monday, January 11th 1858. Continued.

Eliza Jane Hall, Admix
of Jno. T. Knox, decd.
vs. Rip in Error
Josephine Gelcin.

To Error to the
Supreme Court
of the State of
Louisiana.

This cause came on to be heard on the
transcript of the record from the Supreme
Court of the State of Louisiana, and was
argued by counsel. On consideration
whereof, it is now here ordered and
adjudged by this Court that the
judgment of the said Supreme Court
in this cause be, and the same is
hereby, reversed with costs; And that
this cause be, and the same is hereby,
remanded to the said Supreme
Court with instructions to reverse
the judgment of the district court,
and for such further proceedings
in conformity with the opinion of
this Court as may appear to be
necessary.

Per Mr. Chief Justice Taney.

139	Ellen Mullins vs. The Steamtug "Alfred & Edwin", her engines, &c. Alfred Lister & Edwin Lister, Claimants.	Appeal from the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite.

686	The Baltimore & Ohio R.R. Co. vs. The State of Maryland	Writ of Error

On consideration of the motion to advance this cause, it is ordered that said motion be, and the same is hereby, denied.

139 David L. Yulee vs. Appellee / Francis Vose

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. P. Phillips & Mr. E. F. Loughton in support of the same, and by Mr. E. A. Likeson in opposition thereto.

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120 James T. Hood et al. vs. Appellees / Robert Long et al. Appellees

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. John A. Wills in support of the same, and by Mr. William Baker in opposition thereto.

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137 Thomas S. Young vs. Appellant / The United States

This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs. Brent & Horner, of counsel for the appellant

and by Mr. Assistant Attorney General Smith, of counsel for the appellees, under the Sixth Rule.

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521 The United States, Appt vs. E. E. Norton Assignee &c.
523. " " " " " " " " "
524. " " " " " Jas. A. White et al
525 " " " " " J. M. Thompson
526 " " " " " E. E. Norton, Assignee &c
527 " " " " " Jonas H. Levy et al
528 " " " " " Chas. Roman et al
529 " " " " " Edward A. Yorke

These cases were submitted to the consideration of the Court on the records and printed arguments by Mr. Assistant Attorney General Smith, of counsel for the appellant, and by Mr. Edward Janin, for the appellees, under the Sixth Rule.

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501 The United States vs. Cyrus C. Clark. Appellant

This cause was submitted to the consideration of the Court on the record and printed arguments by

Monday, January 11th. 1869. Present

Mr. Assistant Attorney General Smith, of counsel for the appellant, and by Mr. Thos. H. Talbot for the appellee under the 20th Rule.

James M. Piperal,	This cause was
744. vs. Appellants	submitted to the
The United States.	consideration of

the Court on the record and printed arguments by Mr. Thomas Wilson, of counsel for the appellants, and by Mr. Assistant Attorney General Smith, for the appellee, under the 20th Rule.

The United States	These causes were
511 vs. Appellant	submitted to the
Henry E. McKee.	consideration of
And	the Court on the record
Henry E. McKee	and printed argu
512. vs. Appellant	ments by Mr. Assistant
The United States	Attorney General

Smith, of counsel for the United States, and by Mr. S. H. Johnson, for McKee, under the 20th Rule.

1098 | Samuel A. Kirkpatrick, Appellant, vs. The United States. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Harvey Spalding, of counsel for the appellant, and by Mr. Assistant Attorney General Smith, of counsel for the appellee under the 50th Rule.

1031 | The United States, Appellant, vs. John T. Morrison. | This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Assistant Attorney General Smith, of counsel for the appellant, and by Messrs. Hume and Boyden for the appellee under the 50th Rule.

1032 | The United States, Appellant, vs. Andrew M. Moore. | This cause was submitted to the consideration of the Court on the record and printed arguments by the

Monday, January 11th 1813 continued.

Appellant Attorney General Smith, of counsel for the appellant, and by Messrs. Sanborn & King for the appellee under the 20th Rule.

The United States 113 vs. Appellant Gunnel Bolingbroke	This cause was submitted to the consideration of the Court on the

record and printed arguments by Mr. Solicitor General Phillips of counsel for the appellant, and by Mr. Edward Jenins for the appellees, under the 20th Rule.

The United States 505 vs Appellant Sebastian Kaufman.	This cause was submitted to the consideration of the Court on

the record and printed arguments by Mr. Solicitor General Phillips of counsel for the appellant, and by Mr. P. E. Key, for the appellee under the 20th Rule.

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556. The United States vs. Appellant The United States

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. B. Sanborn of counsel for the appellant, and by Mr. Solicitor General Phillips, for the appellee, under the 20th Rule.

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391 Andrew McMicken vs. Appellant The United States.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Willie Drummond & Mr. R. H. Bradford of counsel for the appellant, and by Mr. Solicitor General Phillips for the appellee, under the 20th Rule.

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665 The United States vs. Appellant The Heirs of John Sullivan

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Solicitor General Phillips, of counsel for the appellant

and by Mr. Willis Drummond and Mr. W. H. Bradford, of counsel for the appellees, under the 20th Rule.

117	Thomas J. Keogh vs. The Orient Fire Insurance Co. et al.	Appellant	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Enoch Totten, of counsel for the appellant, and by Mr. S. N. Bond, for the appellees, under the 20th Rule.

118	H. H. Brindell vs. Hyam Ency Bartlett Robbins & Co.	On motion of Mr. H. H. Bradley leave is hereby granted the Clerk to issue the Mandate in this cause.

579	Morris Kalchum et al. vs. Wm. Miller Drummond et al.	Appellants	Upon the petition of Hon. A. Hays, Hon. S. Pierson, S. Hawkins Ex. Rep., and Wm. Miller Drum-

sworn to January 5, 1875, and on motion of Mr. Merrick, Counsel for the appellant appearing and not opposing, It is, this 11th day of January ordered by the Court that this appeal so far as it respects L'Crelli Ziegler and Bernard De Marleville, and so far as it respects the bonds formerly held by them, and so far as it respects the bonds formerly held by Sophie Chuppard numbered respectively 933, 1208, 2215, 3191, 4054, 5193, 11191, 11195, 11196, and 11511, &c., and the same is hereby discontinued; and that the names of the said Bernard De Marleville and L'Crelli Ziegler be stricken from the record as appellants on this appeal, and that a minute be made of record on this appeal in this Court that said petitioners Hays, Pierson and Kelly have succeeded to the rights of the said Bernard De Marleville and L'Crelli Ziegler respectively as Creditors under said mortgage, and to the rights of the said Sophie Chuppard as a creditor under said mortgage upon the said

on bonds last hereinabove mentioned.

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99 Morris Kelchum et al vs Appellants Sim. Miller Runoan et al. And Rodolph Kemmel et al 1037 vs Appellants Sim. Miller Runoan et al.	The arguments on the motion to advance these causes and the motion to vacate the order now pending the operation of the Supersedeas entered December 11, 1877, in No. 579, were commenced by Mr. E. L. Andrews in support of said motions

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Proclamation being made the Court is adjourned until tomorrow at twelve o'clock

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Tuesday, January 15th, 1878.

Pursuant to adjournment the Court met to day at the Capitol

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Tisley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. James Lowndes, it is ordered that A. G. Porter, Esquire, of Charleston State of South Carolina be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. T. Bangs it is ordered

that Artemas N. Holmes, Esquire, of New York City be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Jorge Hoadly it is ordered that William Stone Abert Esquire, of Washington City District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

979	Morris Kalchum et al vs. Simon Sutter Executor et al. And	For argument of the motion to advance these cases and the motions to vacate the order suspending the operation
1035	Rodolph Merian et al vs. Simon Sutter Executor et al	

of the Supersedeas entered in No. 979 December 10th, 1877, was continued by Mr. R. T. Merrick and Mr. F. T. Bangs in opposition to the motion to vacate said

order, by Mr. Jorge Hoadly in favor of the motion to vacate and also in favor of the motion to advance, and concluded by Mr. L. T. C. Hunnes in support of the motion to vacate the Supersedeas in the

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579	Morris Kelchum et al. vs. Appellants Jno Butler Runnion et al.	On motion of Mr. Bunge Leave is hereby granted him to withdraw the motion for a Writ of Certiorari in this cause.

165	William Godfrey et al vs. Appellants Harvey Terry	The argument of this cause was continued by Mr. Harvey Terry for himself.

653	Charles B. Lamborn vs. Pff in Error The Board of County Commissioners of the County of Dickinson.	This cause was submitted to the consideration of the Court on the record and printed arguments by

Mr. C.E. Brethedon, of counsel for the plaintiff in error, and by Mr. S.C. Thatcher, for the defendant in error under the 20th Rule.

1106. Charles F. Cromwell vs. Ptff in Error, The County of Sac.

And

1109 The County of Sac vs. Ptff in Error. Charles F. Cromwell.

Five cases were submitted to the consideration of the Court on the record and printed arguments by Mr. Gen. I. Rogers of counsel for Cromwell, and by Mr. Galusha Parsons of counsel for the County of Sac, under the 20th Rule.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock M.

Wednesday January 16th 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John G. Nicolay, Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

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155 J. L. G. McAllister vs. Plymouth Error Bertrand Kuhn

On motion of Mr. Mandeville leave is hereby granted the Clerk to issue the Mandate in this cause.

Wednesday January 16th 1895 Continued.

Nicholas N. Casey Receiver of the New Orleans National Banking Association.

1779 vs. Appellant

Louis Schneider, George Jonas and Edmund Brun.

Mr. Thomas Ben Mark suggested the death of Louis Schneider and George Jonas two of the appellees in this cause and filed letters testamentary appointing Mrs. Sydia Maria Schneider testamentary executrix of Louis Schneider, deceased, and Mrs. Rosalie Jonas testamentary executrix of George Jonas, deceased, and moved the Court that the parties above named be entered as appellees in this cause in the place of the said Schneider and Jonas, deceased. Thereupon it is ordered that Mrs. Sydia Maria Schneider, testamentary executrix of Louis Schneider, deceased, and Mrs. Rosalie Jonas, testamentary executrix of George Jonas, deceased, as aforesaid, be, and they are hereby, entered as parties appellee in this cause with liberty to resist this appeal.

Wm. Godfrey et al
163 vs. Appellants
Henry Ing.

The argument of this cause was concluded by Mr. James Saunders of counsel for the appellants.

The State of Wisconsin
Orig. vs. Complainant
The City of Duluth and
The Northern Pacific
Railroad Company.

On the stipulation of counsel for the respective parties on file, and on motion of Mr. J. C. Sloan, of counsel for the complainant, It is now hereordered that the bill of complaint in this cause be, and the same is hereby, dismissed as to the defendant the Northern Pacific Railroad Company without costs to either party, and without prejudice to the rights of the other parties.

per Mr. Chief justice Waite

Wednesday January 16th 1873. Continued.

1093	The State of Wisconsin complainant	The argument of this cause was commenced by Mr. S. U. Hoar of counsel for the complainant, and continued by Mr. C. K. Davis, of counsel for the respondent.
	vs.	
	The City of Duluth	

Proclamation being made the Court is adjourned until to morrow at twelve o'clock

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Thursday, January 17th, 1878.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
} Associate Justices

John F. Coyle, Esquire, Marshal
Daniel Tasley Middleton, Clerk

Proclamation being made the Court is opened.

132 The Salona Water & Mining Company vs. Riff in Error — Benjamin A. Bagley.

On motion of Mr. A. A. Sargent leave is hereby granted the Clerk to issue the Mandate in this cause.

165 The Goodenough Horse Shoe Manufacturing Co. vs. Iffin Error The Rhode Island Horse Shoe Company

On motion of Mr. H. M. Knight, Ordered that the time allowed for filing another transcript of record in this cause under order entered December 6, 1877, be and the same is hereby extended until the 25th instant.

1.org 5 The State of Wisconsin vs. The City of Beloit Complainant.

The argument of this cause was continued by Mr. C. K. Davis, of counsel for the respondent, by Mr. J. B. Beak, of counsel for the complainant, and concluded by Mr. A. C. Sloan for the complainant.

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170 The New York Life Insurance Co vs. Iffin Error Jno. H. & T. M. Eggleston, Admrs &c.

This cause was argued by Mr. Hall A. Carpenter of counsel for the plaintiff in error, and by Mr. S.

Phillips for the defendants in error.

Hugh O'Hara 193 vs. Pltff in Error. The Second National Bank of Titusville Pennsylvania.	In Error to the Court of Common Pleas of Crawford County, State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Court of Common Pleas of Crawford County, State of Pennsylvania, and on the stipulation on file and motion of Mr. M. H. Carpenter, in behalf of counsel, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Taney.

193	Hugh O'Hara vs The Second National Bank of Titusville, Pennsylvania.	In Error to the Court of Common Pleas of Crawford County, State of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Court of Common Pleas of Crawford County, State of Pennsylvania, and on the stipulation on file, and motion of Mr. M. H. Carpenter, in behalf of counsel. It is now here ordered and adjudged by this Court that the writ of Error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

171	Hiram Kerring et al. vs. G. A. Perdue et al.	Appellants	The argument of this cause was commenced by Mr. P. Phillips, of counsel for the appellants, and continued by Mr. H. E. Young, for the appellees.

Proclamation being made, the Court is adjourned until to-morrow at twelve o'clock.

Friday, January 15th, 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt,
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Kesley Middleton, Clerk.

Proclamation being made the Court is opened.

William White		Appeal from the Supreme Court of the District of Columbia.
167 vs.	Appellant	
Davis Offley K.		

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and on the motion of Mr. James S. Edwards of Counsel for the Appellant, and consent

of Counsel for the appellee. It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

1024 The Township of Rock Creek v. Ayl in Error
Henry Strong

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. George A. Peck, of Counsel for the plaintiff in error, and by Mr H. Strong for the defendant in error, under the 20th Rule.

1028 P. H. Hinde Koper et al
1029 v. Appellants
The Hinkley Locomotive Works.
Wm. K. Fosdick et al
1029 v. Appellants
The Southwestern Car Co
and
Wm. K. Fosdick et al
1030 v. Appellants
Michael Schall

These causes were submitted to the consideration of the Court on the records and printed arguments by Mr. W. Crawford, of counsel for the appellants and

by Mr. S. Biddle Roberts for the appellees, under the 20th Rule.

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171 Hiram Herring et al vs. Appellants
J. A. Pendarvies et al.

The argument of this cause was continued by Mr. H. C. Young, and Mr. N. L. Porter, of counsel for the appellees, and concluded by Mr. Edward McGrady, for the appellants.

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172 John P. Bissell vs. Appellant
Henry Hayward

The argument of this cause was commenced by Mr. N. A. Merry, of counsel for the appellant.

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382 C. C. Patterson vs. Plff in Error
The Commonwealth of Kentucky.

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. M. H. Carpenter, of counsel for the plaintiff in error, and by Mr. H. H. Houston for the defendant in

Friday January 8th 1875 Continued

error, under the 30th Rule

75	The United States vs. Appellant The Atchison Topeka & Santa Fé R.R. Co.	On motion of Mr. H. M. Talbot leave granted to submit this cause under the 30th Rule, provided briefs are filed by both sides within 30 days.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock M.

Monday, January 21, 1878.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan

} Associate Justices

John G. Nicolay, Esquire Marshal
Daniel Ashley Middleton Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in the cause by Mr. Charles Case it is ordered that Charles F. Manderson, Esquire, of Omaha State of Nebraska be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Monday January 21st 1839 Continued

On motion first made to the Court in this behalf by Mr R. T. Merrick it is ordered that M. L. Johnson Esquire of Galena State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr C. S. Hornor it is ordered that William R. Carlon, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr P. Phillips it is ordered that Given Campbell Esquire of St. Louis, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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Monday, January 16th, 1893, Continued—

16 | The First National Bank of Kansas City vs. The Hartford Fire Insurance Company. | In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment upon the special findings for the plaintiff.

per Mr. Justice Harlan

The Union Gold Mining Company of Colorado.
vs.
The Rocky Mountain National Bank of Central City, Colorado.

In Error to the Supreme Court of the Territory of Colorado.

157.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Colorado and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs; And that this cause be, and the same is hereby, remanded to the Supreme Court of the State of Colorado.

Per Mr. Justice Gray

118	The Mobile Life Insurance Company. vs. Samuel F. Brame	In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Hunt.

31.	Charles B. Wallace vs. Francis B. Loomis, John C. Stanton & Daniel T. Stanton, Trustees of the 1st Mortgage Bond Holders of the Alabama and Chattanooga Railroad Company. Appellant	Appeal from the Circuit Court of the United States for the Southern District of Alabama.

Monday January 9th 1893 Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby affirmed with costs.

per Mr. Justice Bradley.

The United States, Appellant
vs. | Appeal from the
J. K. McLean. | Court of Claims

1892.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed. And that this cause be, and the same is hereby, remanded to the said Court of Claims with direc-

to dismiss the claimants petition.

per Mr. Justice Strong.

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669 Sylvester Pennoyer vs. Plff in Error
March 1877.

In Error to the Circuit Court of the United States for the District of Oregon.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Oregon, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Field.

Dissenting
Mr. Justice Hunt.

The City Council of Alexandria	In Error to the Supreme Court of Appeals of the State of Virginia.
105 vs. Pliff in Error	
Orlando Fairfax	

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Virginia.

Per Mr. Justice Miller

The United States	Appeal from the Court of Claims.
161 vs. Appellant	
Return J. Meigs Jr.	

This cause came on to be heard on the

transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the claimants petition.

per Mr Justice Miller.

162 The United States v. Zachary Taylor, Appellant | Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed; And that this cause

cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the claimant's petition.

Per Mr. Justice Miller.

163. The United States, Appellant vs. Hillary Grimes | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, reversed, And that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the claimant's petition.

Per Mr. Justice Miller.

164.	The United States vs. William A. Mulloy.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the claimants petition.

Per Mr. Justice Miller.

720.	Joseph S. Parish and William L. Huse, late partners under the name, firm & style of Joseph S. Parish & Co, for the use of Joseph S. Parish. Appellants vs. The United States.	Appeal from the Court of Claims.

This cause came on to be heard on the

transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr Justice Swayne

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159. The United States vs. The State National Bank of Boston

Appellant

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Swayne

The Merchants National Bank of Boston	Appeal from the Court of Claims.
160 vs. Appellant	
The United States.	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof. It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby affirmed.

per Mr. Justice Swayne.

Christian H. Lilienthal	In Error to the
137 vs. Iff in Error	Circuit Court
The United States.	of the United States for the

Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York and was argued

by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is, hereby, affirmed.

Per Mr. Justice Clifford.

George H. Jones 539. vs. Appellant The United States	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Clifford.

	Charles S. Wallace	On motion of Mr.
31.	vs. Appellant	R. Phillips, solicitor
	Francis H. Loomis et al.	for appellees and by consent of

John T. Morgan, solicitor for appellant, it is ordered that a certified copy of the paper addressed to Mr. Justice Bradley by David Clopton, Attorney and Counsel for the State of Alabama, under date 19 August, 1872, by which the State assented to the appointment of a Receiver in the above cause be filed by the Clerk with the record here and made part thereof.

It is further ordered that the Clerk of this Court be directed to transmit the original paper to the Clerk of the Circuit Court United States for the Southern District of Alabama to be filed by him with the record of the cause in his office as of the date of the 14th August, 1872.

	Samuel A. Fratcher	On motion of Mr.
136.	vs. Pff in error	R. T. Merrick
	Samuel Kanaher	leave is hereby granted the Clerk

to issue the Mandate in this cause.

The Union Pacific Railroad Co.	On motion of Mr. S. Shellabarger leave
141. vs. Appellant	is hereby granted
Thomas C. Durant Exp.	the Clerk to issue
	the Mandate in

this cause.

The Natoma Water &	On motion of Mr.
Mining Company.	S. Shellabarger, it
132. vs. Pff in Error	is now here ordered that the
Benjamin F. Bigley.	Mandate issued

by this Court to the Supreme Court of the State of California in this cause be, and the same is hereby, recalled.

C. C. Patterson	On motion of Mr.
382. vs. Pff in Error	Albert Pike
The Commonwealth	leave is hereby
of Kentucky.	granted him

to file motion to strike out the order submitting this cause under 30th Rule.

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10. The United States, Appellant vs. The Union Pacific R.R. Co. et al.

On motion of Mr. Attorney General Devens Ordered that this cause be, and the same is hereby, continued until the next term.

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153. H. E. O'Reilly, Appellant vs. Henry C. Edington et al.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. T. J. Durant & Mr. C. K. Horner in support of the same, and by Mr. Alexander Porter Morse and Mr. A. B. Pillman, in opposition thereto.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Tuesday January 22d. 1878.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices.

John G. Nicolay, Esquire, Marshal
Daniel Kesley Middleton Clerk.

Proclamation being made the Court is opened.

1878.	John Dobson and James Dobson vs. Eben D. Jordan	Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for

the Eastern District of Pennsylvania, and on the stipulation of counsel for the respective parties on file, and motion of Mr. Fillmore, & all in behalf of counsel, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Yates.

1793 John B. Bipell vs. Henry Hayward. Appellant

The argument of this cause was continued by Mr. Edward M'Cready of counsel for the appellee, and concluded by Mr. F. A. Mancy, of counsel for the appellant.

1793 Wm. M. King Executor &c. vs. Plaintiff in Error. Adie Pardee & al Executors &c.

This cause was argued by Mr. George M. Biddle, of counsel for the defendant in error. No counsel appearing for plaintiff in error.

Tuesday January 22d, 1833, Continued.

The Steamboat "Anna", | The argument
her tackle &c. - | of this cause
1814 vs. Appellant | was commenc-
William Phillips et al | ed by Mr. G.
| Langdon and
of counsel for the appellant, and con-
tinued by Mr. R. S. Benedict for
the appellees.

Proclamation being made the Court is
adjourned until tomorrow at ten o'clock A.M.

Wednesday, January 23, 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John F. Nicolay, Esquire, Marshal
Daniel Ensley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Smith it is ordered that Horace Brown, Esquire, of Salem, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon B F Butler it is ordered that Ambrose A Ramsey Esquire of Boston State of Massachusetts be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr J S Cary it is ordered that Joseph F Benfield Esquire of Chicago State of Illinois be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Hon B F Butler it is ordered that Thomas J S Van Dusen Esquire of Englewood State of New Jersey be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday, January 23d, 1878, Continued.

	E. Parsons et al	On motion of Mr.
1138	vs. Appellants	Thomas Allen
	Henry R. Jackson et al.	Clarke it is ordered

that Nos 877 and 878 be advanced to be argued with this case as one case when reached in the regular call of the docket.

	The Maine Central	Mr. E. B. Smith
	Railroad Company.	filed and sub-
1153	vs. Pff in Error	mitted to the con-
	The State of Maine	sideration of the

Court motion to advance this cause.

	The Steamboat "Anna",	The argument
	her tackle &c.	of this cause was
1744	vs. Appellant	continued by
	Wm. Phillipe, et al.	Mr. R. D. Benedict

of counsel for the appellees, and concluded by Mr. C. Van Santvoord for the appellants.

175	Lauren A. Noyes vs. Appellant. Knight & Hall.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Elliott Anthony of counsel for the appellant, and by Mr. H. L. Stearns for the appellee.

176	William P. Tyson et al vs. Appellants Margaret Myers & Endrix &c.	Ordered by the Court that this cause be, and the same is hereby, passed for the present.

81.	Nicholas H. Carey Receiver &c vs. Appellant C. Savage & Son	On motion of Mr. J. H. Rouse leave is hereby granted him to file stipulation of counsel, and addition to record in this cause.

Wednesday, January 23d, 1833, Continued.

Nicholas N. Casey, Receiver &c.
181. vs. Appellant
C. Carroll & Son.

The argument of this cause was commenced by Mr. John D. Rouse of counsel for the appellant, and continued by Mr. Thos. Allen Clarke for the appellees.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Thursday January 24th, 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal —
Daniel Wesley Middleton Clerk

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Hon. George K. McCrary it is ordered that James Hageman, Esquire, of Keokuk, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly —

Thursday January 24th, 1878, Continued.

181. A. K. Casey, Receiver &c. vs. Appellant
C. Cavanee & Sons.

The argument of this cause was continued by Mr Thos. Allen Clarke, of counsel for the appellees, and concluded by Mr. Charles Case, of counsel for the appellant.

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179. A. K. Casey Receiver &c. vs. Appellant
Mrs. Lydia Maria Schneider, Executrix &c. et al.

On motion of Mr. J. K. Rouse leave is hereby granted him to file certificate in regard to exhibits in this case.

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179. A. K. Casey, Receiver &c. vs. Appellant
Mrs. Lydia Maria Schneider, Executrix &c., et al.

The argument of this cause was commenced by Mr. J. K. Rouse, of counsel for the appellant & continued by Mr. Thos. Allen Clarke, for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday January 25th 1873.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire Marshal
David Fisher Middleton, Clerk

Proclamation being made the Court was opened

On motion first made to the Court in this behalf by Hon. Francis Kernan it is ordered that Rollin Sacy, Esquire, of Auburn, and William Sulphen, Esquire, of New York City, Albany New York, be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

Friday, January 25th, 1878, Continued.

N. W. Casey, Receiver &c.
179 vs. Appellant
Mrs. Sydia Maria Schneider, Executrix &c, et al.

The argument of this cause was continued by Mr. Thos. Allen Clarke, of counsel for the appellees, and concluded by Mr. Charles Case, for the appellant.

Nicholas N. Casey, Receiver &c.
180. vs. Appellant,
The National Park Bank of New York et al.

This cause was argued by Mr. J. N. Rouse, of counsel for the appellant, and by Mr. Thos. Allen Clarke, of counsel for the appellees.

Nicholas N. Casey, Receiver &c.
178. vs. Appellant
F. Schuchardt & Sons et al.

The argument of this cause was commenced by Mr. John N. Rouse, of counsel for the appellant, continued by Mr. C. Robinson, for the appellees & by Mr. Charles Case, for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, January 25th. 1875.

Pursuant to adjournment, the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire Marshal
Daniel Chester Middleton Clerk

Proclamation being made the Court was opened.

On motion first made to the Court in this behalf by Mr. Thomas Wilson, it is ordered that John A. Halderman, Esquire, of Leavenworth, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Assistant Attorney

Smith it is ordered that William Fell Giles, Jr Esquire of Baltimore State of Maryland, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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165 The St Clair County Turnpike Company. vs. Pltff in Error.
The People of the State of Illinois Ex rel: John F. Bowman.

In Error to the Supreme Court of the State of Illinois.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Illinois and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be and the same is hereby affirmed with costs.

Per Mr justice Bradley

The Southern Life Insurance Company	In Error to the Circuit
156. vs. Appln Error	Court of the United
Frances L. McCain.	States for the Southern
	District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs, and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Alabama.

Per Mr. Justice Field.

Hiram Darling, Emery Thurgood et al,		Appeal from the Circuit Court of the United States for the District of South Carolina.
171	vs. Appellants	
Eugene A. Polhemus, Charles F. Brown et al		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina and was argued by counsel On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Swayne

The Little York Gold Washing & Water Company,		In Error to the Circuit Court of the United States for the District of California.
1112	vs. Appellees	
James A. Keyes.		

This cause came on to be heard on the transcript of the record from the Circuit

Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Taney delivering:
Mr Justice Thompson

Thomas B. Krogh
v. Appellant
The Orient Fire Insurance Company & Benjamin F. Gilbert et al.

Appeal from the Supreme Court of the District of Columbia.

917

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed for the want of jurisdiction.

per Mr. Chief Justice Taney

James D. Piper and George C. Ligon, Appellants vs. The United States.	Appeal from the Court of Claims.

1111.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now hereby ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Taney.

The United States vs. Charles Bodigny et al heirs &c. of Jean Baptiste Bernard Landreaux deceased, Appellant	Appeal from the District Court of the United States for the District of Louisiana.

1113.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by Counsel. On consideration whereof, It is now here

ordered adjudged and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite.

The United States
vs. Appellant
E. E. Norton, Assignee in bankruptcy of Samuel Ketchum & Company.

Appeal from the Court of Claims.

522

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite.

523	The United States vs. E. E. Morton Assignee &c. of Eng. a Bankrupt.	Appellant Appellee Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite

524	The United States vs. James A. White and Augustus R. Montgomery.	Appellant Appellee Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of

Claims in this cause be, and the same is hereby affirmed.

per Mr. Chief Justice Waite.

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525 | The United States v. J. H. Bonnafon, Appellant | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite.

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526 | The United States v. E. E. Norton, Assignee of A. S. Ethell, a bankrupt, Appellant | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court

of Claims, and was argued by counsel.
On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite

527	The United States vs. James H. Levy and Anderson D. Dicker.	Appeal from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.
On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby affirmed.

per Mr. Chief Justice Waite

Monday January 25th 1875, Continued.

528.	The United States vs. Charles Keenan and C. C. Olivier	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice

529.	The United States vs. Edward A. Yorke	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now ordered and adjudged by this Court that the judgment of the

Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite

1098 | Samuel H. Scrivener, Appellant vs. The United States. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite

Monday January 26th 1824. Continued.

The Steamboat Emmet her tackle &c. Samuel Schuyler, Claimant. & The Steamboat Comet her tackle &c. & Brainard et al, Claimants.

1824. vs. Appellants

William Phillips & A. Phillips. & A. Thomas & William Seelle

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of New York.

per Mr. Chief Justice Marshall

H. C. O'Reilly Appellant
Wm. H. Edmiston Jr. and
C. C. Slade Bankrupts
534 vs Appellant
Henry C. Edmiston and
Wm. H. Edmiston Jr. Admin-
istrators & de bonis &c. of
Eliza M. Edmiston, deceased

On consideration of the motion to dismiss this cause and of the argument of counsel thereupon had and on full consideration of the same, it is ordered that this cause stand dismissed unless the appellant shall on or before the first Monday in March next file with the Clerk of this Court a Bond with good and sufficient security conditioned according to law for the purposes of the appeal. If the appellant desires that the appeal shall operate as a Supersedeas the bond may be in the sum of seven thousand dollars otherwise in the sum of two hundred and fifty dollars. The security may be approved by any Judge or Justice authorized to sign a citation in the cause.

per Mr. Chief Justice Fuller

139.	David L. Yulee vs. Error to Francis Vose	On considering the motion to dismiss this cause, It is ordered that the further consideration of said motion be, and the same is hereby, postponed until the hearing of the cause upon its merits. per Mr. Chief Justice Taney

142.	James L. Sidell et al vs. Error to Robert Long et al.	On consideration of the motion to dismiss this cause and of the argument of counsel thereupon had, as well in support of, as against the same it is now here ordered that said motion be, and the same is hereby, denied. per Mr. Chief Justice Taney

153.	The Maine Central R. R. Co. vs The State of Maine.	On consideration of the motion to advance this cause it is now here ordered that

said motion be, and the same is hereby, granted.

per Mr. Chief Justice Waite

1110 The Steam tug Virginia Emmanuel vs. John J. Curtis et al — Appellants

Mr. H. Bell files a motion for leave to withdraw the appearance of Mr. Wm. H. Hunt as counsel for the appellants in this case, and that leave be granted the Clerk to issue the Mandate in this case. Whereupon it is ordered that said motion be, and the same is hereby, granted for the present

1117 John J. Curtis et al vs. The Steam tug Virginia Emmanuel &c. and The Ship Agnese &c. vs. John J. Curtis et al — Appellants

305

Egisto P. Fabbri et al vs. Thos. Murphy, Collector &c. — Plffs in Error

On motion of Mr. Assistant Attorney General Smith — leave is hereby granted the Clerk to issue the Mandate in this case.

1114

Monday, January 28th 1873 Continued.

82.	Joseph Marine Junior &c. vs. Plff in Error C. J. Arthur, Collector &c.	On motion of Mr. Spofford Attorney General Smith Leave is hereby granted the Clerk to issue the Mandate in this cause.

113.	The United States vs. Appellant. Chas Vedigny et al.	On motion of Mr. E. Jenner Leave is hereby granted the Clerk to issue the Mandate in this cause.

522. The United States Appls vs. E. E. Morton Assignee &c.
523. " " " " " " "
524. " " " " " Jas. A. Whiteside et al
525. " " " " " J. A. Bonnafon
526. " " " " " E. E. Morton Assignee &c.
527. " " " " " James H. Lee et al
528. " " " " " Charles Remondet
529. " " " " " Edward A. Hooke

On motion of Mr. Edward Jenner Leave is hereby granted the Clerk to issue the Mandates in these causes

Charles H. Holden 363 vs. Appellant Fa. Freedmans Savings & Trust Company.	Ordered that the motion filed by Mr. F. H. Talbot for the appointment of a receiver, in this cause, be, and the same is hereby postponed until Monday next.

C. C. Tallman 382 vs. Appellant The Commonwealth of Kentucky	On motion of Mr. Albert Pike it is ordered that the order submitting this cause under the Docket Rule be, and the same is hereby, rescinded.

Joseph Swift et al 389 vs. Appellants Janet Smith Admx &c.	The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. R. T. Burges, in support of the same and by Mr. H. C. Purdy and Mr. Orrin Kinney in opposition thereto.

Monday January 26th 1857, Continued.

178	N. K. Casey Receiver &c. vs. Cincinnati & Muskingum Valley R. R. Co.	The argument of this cause was commenced by Mr. Evarts Counsel for the appellant.

82	The First National Bank of Cincinnati vs. Wm. Cook Collector.	The argument of this cause was commenced by Mr. D. Lincoln Counsel for the appellant

The Court declined to hear further argument in the cause.

24	The Mutual Life Insurance Co. of New York vs. Phillip Ernst	The argument of this cause was by direction of the Court commenced by Mr. J. Morrison Harris Counsel for the defendant in error.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Tuesday, January 24th, 1871.

Pursuant to adjournment the Court met to-day at the Capitol.

Present —

The Honorable Morrison R. Waite, Chief Justice —

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan

} Associate Justices

John F. Coyle, Esquire, Marshal —
Daniel Fisher Middleton Clerk.

Proclamation being made the Court was opened —

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Smith it is ordered that Alfred B. Carnickshank, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly —

Tuesday, January 29th 1873, Continued.

The Mutual Life Insurance Co. of New York.
24. vs. Pff in Error
J. Morrison Harris, Assignee

The argument of this cause was continued by Mr. J. Morrison Harris and concluded by Mr. F. H. Bruner, of counsel for the defendant in error. No argument required by the Court on the part of the plaintiff in error.

The Steamboat "City of Hartford" &c.
185 vs. Appellants
H. S. Rideout et al
and
The Steamboat "City of Hartford" &c.
186. vs. Appellants
Charles Robinson

Ordered by the Court that these cases be passed until No. 212 is reached.

William M. Corry
187. vs. Pff in Error
Hugh Campbell.

Ordered that this cause be passed for the present.

Tuesday January 29th 1878, Continued.

The Omaha Hotel Co et al
185 vs. Appellants
J. H. Rude et al

The argument of this cause was commenced by Mr. Clinton Briggs of counsel for the appellants, and continued by Mr. J. M. Woolworth, for the appellees.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Wednesday January 30th. 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
} Associate Justices

John G. Hoblay, Esquire, Marshal
Daniel Tenley Middleton, Clerk.

Proclamation being made the Court opened.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton, it is ordered that James H. Little, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday, January 30th, 1895, Continued.

The United States Ex'rel:
Charles Parsons
1199 vs. Affirm Error
Chas. F. Leeds, Mayor &c

On consideration of the motion of Mr. Clarke, of counsel for the plaintiff in error, filed this date, It is ordered that leave be, and the same is hereby, granted the plaintiff in error to file a new bond in this cause on or before the first Monday of March next, with good and sufficient surety conditioned according to law; the bond to be approved by any judge or justice authorized to sign a citation in the case.

The Omaha Hotel Co. et al.
188 vs. Appellants
J. H. Wade et al.

The argument of this cause was continued by Mr. J. M. Woolworth, of counsel for the appellees, and concluded by Mr. J. Briggs for the appellants.

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189. James E. Yealman et al. Assignees &c. vs. Hiffsin & Error
The New Orleans Savings Institution.

190. J. E. Yealman et al. Assignees &c. vs. Hiffsin & Error
P. Butler et al. Executors &c.

191. Jas. E. Yealman et al. Assignees &c. vs. Hiffsin & Error
John A. Funell

And

193. Jas. E. Yealman et al. Assignees &c. vs. Hiffsin & Error
L. T. Genereux

These cases were argued by Mr. Thos Campbell of counsel for the plaintiffs in error. The Court declined to hear argument on the part of the defendants in error.

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192. Jas. E. Yealman et al. Assignees &c. vs. Hiffsin & Error.
Samuel Smith et al.

This cause was argued by Mr. Thos Campbell of counsel for the plaintiffs in error, and by Mr. Thos Allen Clarke for the defendants in error.

The State of Louisiana ex rel. Jno. L. McCauley	In Error to the
1911 vs. Writ in Error	Supreme Court
Charles Clinton, Auditor	of the State of
of Public Accounts of the	Louisiana
State of Louisiana.	

This cause coming to be heard, and it appearing to the Court that the record transmitted to the Court below has not been returned, and that no counsel appear for either party, It is now ordered by the Court that this cause be, and the same is hereby, stricken from the docket at the cost of the plaintiff in error.

per Mr. Chief Justice Waite

John L. McPherson,	This cause was
Adm'r &c.	submitted to the
195 vs. Appellant	consideration of
The United States	the Court on the
	record & printed

arguments by Mr. John L. McPherson and Mr. George H. Appleby, of counsel for the appellant, and by Mr. Solicitor General

Phillips, for the appellee.

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196 Matthew Baird vs The United States | This cause was argued by Mr. Jno. L. McPherson & counsel for the appellant, and by Mr. Solicitor General Phillips for the appellee.

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197 Elert Schumacher et al. vs George B. Cornell. | This cause was argued by Mr R. F. Sydnor, counsel for the appellants, and by Mr. L. L. Bond, of counsel for the appellee.

Proclamation being made the Court is adjourned until to-morrow at eleven o'clock.

Thursday, January 31st, 1878.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
William Strong
Joseph P. Bradley
John M. Harlan
} Associate Justices.

John G. Nicolay, Esquire, Marshal
Daniel Kesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. J. B. Beck it is ordered that J. S. Carlisle, Esquire, of Covington State of Kentucky, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. J. E. McDonald it is ordered that R. T. Ramsey, Esquire, of

Cleveland State of Ohio be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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566.	Leonidas B. Edwards vs. Higgin Exor Archibald Kenzy.	On motion of Mr. A. J. Merriman. in behalf of counsel Ordered that leave be granted to submit this cause on printed arguments to be filed on or before the first of March next.

195	Christopher J. Pearcebal, Claimant of Steamboat "Lady Pike" &c. vs. The Germania Insurance Co. Appellants	The argument of this cause was commenced by Mr. J. N. Ferguson of counsel for the appellants The Court declined to hear argument on the part of the appellees.

199.	John McPherson vs. Mary A. Cox Appellant	Ordered that this cause be passed under section 7 Rule 24

Thursday, January 31st, 1878, Continued.

J. C. Stedpole, Executor &c. et al
vs.
The City of Washington et al.
200. Appellants

Ordered by the Court that this cause be, and the same is hereby, continued until the next term (per consent of counsel.)

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, February 1st, 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
Joseph P. Bradley
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. J. E. McDonald it is ordered that Edward K. Keightley, Esquire, of Constantine, State of Michigan, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

	Thomas J. Dobbins,	On motion of Mr.
1115	vs. Appeal	Assistant Attorney
	The United States	General Smith, leave
		is hereby granted

the Clerk to issue the Mandate in this cause.

	The United States	Appeal from the
1110	vs. Appellant	District Court of the
	George Henderson et al.	United States for the
		District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana, and on the motion of Mr. Asst. Atty General Smith, of counsel for the appellant, It is ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite.

	The United States	Appeal from the Dis-
1111	vs. Appellant	trict Court of the
	Mark L. Ewing Jr.	United States for the
		District of Louisiana.

This cause came on to be heard on the

transcript of the record from the District Court of the United States for the District of Louisiana, and on the motion of Mr. Asst Atty General Smith for and on behalf of the appellee, it is now considered adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr. Chief Justice Waite

The United States	Appeal from the District Court of the United States for the District of Louisiana.
#12 vs Appellant	
George Colvin, Executor	

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana, and on the motion of Mr. Asst Atty General Smith, of counsel for the appellee, it is now ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby dismissed.

per Mr. Chief Justice Waite

Charles B Wallace
31. vs Appellant
Francis B. Loomis et al.

On motion of Mr. W. A. Maury leave is hereby granted the Clerk to issue the Mandate in this cause on filing the consent of opposing counsel.

The Indianapolis & St. Louis R. R. Co.
596 vs Appellant,
Jas. L. Lance Collector &c.
And
The Indianapolis & St. Louis R. R. Co.
597 vs Appellant
Jas. L. Lance Collector &c.

These causes were argued by Mr. J. E. McDonald & Mr. W. H. Hammond of counsel for the appellant, and by Mr. Jas. K. Edsall, for the appellee.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday February 11th 1793.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Norman R. Smith Chief justice

Nathan Cliffard
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan

} Associate justices

John F. Meeday, Esquire Marshal
Daniel Tuday Middleton, Clerk.

Proclamation being made the Court

On motion first made to the Court in that behalf by Mr. Assistant Attorney General Smith it is ordered that Louis F. Post, Esquire, and Walter H. Sherman Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

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On motion first made to the Court in this behalf by Mr. M. Thompson it is ordered that J. Parker Jordan Esquire, of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.—

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127 Griffith L. Neal vs. Higgin Error
Langhorn Scruggs & Manuel S. Smith, Executors of Richard Jones, deceased

In Error to the Supreme Court of Appeals of the State of Virginia.

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia and was argued by counsel. On consideration whereof, It is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court of Appeals in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, re-

remanded to the said Supreme Court of Appeals with instructions to reverse the decree rendered against Neal in the Circuit Court for Tillaferro County and to remand the cause to that Court with instructions to dismiss the original and cross-bill of Holland and Clark against Neal, with costs, and for such other action therein in conformity with the opinion of this Court.

per Mr. Justice Hunt.

153. Peter D. Hitchcock & James K. Byrnes vs. Tiffin Exor. The City of Galveston.

In Error to the Circuit Court of the United States for the District of Texas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Texas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same

is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with direction to give judgment on the demurrer against the defendant.

per Mr. Justice Strong,

Dissenting:
Mr. Jus. Bradley
" " Miller
" " Field

The American Emigrant Company.
vs.
The County of Wright.

3111. Appellant

Appeal from the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

Monday February 11th, 1878 Continued

per Mr. Justice Miller.

Dissenting:
Mr. Justice Strong
Chief Justice Waite

The United States
884. vs. Appellant
Henry E. McKee
and
Henry E. McKee
880. vs. Appellant
The United States

Appeals from the Court of Claims

This cause came on to be heard on the transcript of the record from the Court of Claims, on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the petition of the claimant and

the counter claim of the United States.

per Mr Justice Miller.

The United States	Appeal from the
793 v. Appellant	Court of Claims.
Andrew M. Moore	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be and the same is hereby reversed; And that this cause be, and the same is hereby, remanded to the said Court of Claims with directions to dismiss the Claimant's petition.

per Mr. Justice Swayne.

Charles Francis for the	
use of Nathan Myrick &	Appeal from the
556. vs Appellant	Court of Claims
The United States	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

per Mr. Justice Clifford.

1873

Laurent H. Noyes — Appeal from the Circuit Court of the United States for the Northern District of Illinois.
vs. Appellant
Knight & Hall.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with cost.

per Mr. Justice Clifford.

Harvey Ferry et al.
39 vs. Appellants
E. C. Anderson Jr. et al.

Ordered by the Court that the petition for a rehearing in this cause be, and the same is hereby, denied.

per Mr. Chief Justice Waite

John D. McPherson Admr of Robert B. Carter
1195 vs. Appellant
The United States

Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite

184	Joseph Swift et al vs. Janet Smith, Admx &c.	Appellants	On consideration of the motion to dismiss this cause, and of the argument of counsel thereupon had as well in support of, as against the same, it is ordered that said motion be, and the same is hereby denied.

per Mr. Chief Justice Waite.

223	Jasper K. Herbert vs. Effie Error Benjamin F. Butler	Mr. J. K. Herbert having filed and read in open court a suggestion of a diminution of the record in this cause in the words and figures following, to wit:

"That the printed record herein is defective in that at folio 61 at the end of line 2 on page 70 there are omitted therefrom the words, letters and figures following, to wit;

Filed as within pursuant to the above consent.

Sept. 19, 1875. Chas. L. Scudder."

By reason of which omissions and

errors aforesaid The said Counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the Eastern District of New York commanding them that searching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of the seal of the said Circuit Court whatever omissions and errors shall be found On consideration whereof, It is now here ordered by this Court that a Writ of Certiorari be, and the same is hereby, awarded, to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States for the Eastern District of New York commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause and return the same with the said Writ of Certiorari forthwith to this Court.

Now Mr. Chief Justice Waite

Matthew Baird
196 — vs. Appellant
The United States

Mr. J. L. McPherson of counsel for the appellant suggested the death of Matthew Baird, the appellant in this cause, and moved the Court for an order substituting Chas. C. Baird, F. F. Keeler, and John T. Austin, Executors of Matthew Baird deceased, and making them appellants in the cause. Whereupon, It is now hereordered that the appearance of Chas. C. Baird, F. F. Keeler and John T. Austin Executors of the said Matthew Baird, deceased as aforesaid, be, and the same is hereby, entered as the appellants in this cause with the liberty to prosecute this appeal.

Hugh L. Davis
430 vs. Plff in Error
Jacob A. Payne and
Henry M. Payne.

In Error to the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern

District of Mississippi, and on the stipulation on file, and motion of Mr. J. D. McPherson, in behalf of counsel, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

1875 Luther C. Challis vs. George Manley. Appellant. | Appeal from the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and on the authority of counsel for the appellant on file, and motion of Mr. J. D. McPherson, in behalf of counsel, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

	The Mercantile Mutual Insurance Co. of the City of N.Y.	In Error to the Circuit Court of the United States for the District of Massachusetts.
715	vs.	
	Matthew Sandell	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the stipulation of counsel on file, and motion of Mr. J. M. C. Thorson, in behalf of counsel It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

	The United States	On motion of Mr. Edward Jenins leave is hereby granted the Clerk to issue the Mandate in these cases.
410	vs. Appellant	
	Geo. Henderson et al.	
	The United States	
411	vs. Appellant	
	Mark L. Elkins Jr.	
	and	
	The United States	
412	vs. Appellant	
	George Colmer, Executor	

517	Chester A. Arthur	Coll'r &c,	Plff in Error,	vs.	G. A. Morrison et al
518	"	"	"	"	J. A. Lahey et al
609	"	"	"	"	E. Ulrich et al
515	"	"	"	"	Jno Zimmerman
607	"	"	"	"	A. Stephani et al
516	"	"	"	"	L. Greenfield et al
3011	Thos Murphy, late	"	"	"	S. Arnson et al
1192	J. M. & T. K. Davies	"	"	"	C. A. Arthur, Coll'r
604	C. A. Arthur	"	"	"	J. M. & T. K. Davies
608	"	"	"	"	S. Homer et al
3119	Sim. Luden et al	"	"	"	C. A. Arthur, Coll'r
606	C. A. Arthur, Collector &c	"	"	"	A. Herrman et al
132	J. M. & T. K. Koehler et al, Executors	"	"	"	Thos Murphy, late Coll'r &c
511	C. A. Arthur, Collector &c	"	"	"	J. W. & J. Goddard
602	"	"	"	"	L. Rheims
603	"	"	"	"	C. K. & E. Fowler
601	The United States	"	"	"	Santa Maria

Mr. Assistant Attorney General Smith filed and submitted to the consideration of the Court motions to advance these cases.

563 Charles H. Holden — vs. Appellant — The Freedmans Savings & Trust Company.

On motion of Mr. Melon it is ordered that the motion for the appointment of a receiver &c, in this cause, be, and the same is hereby, postponed until Monday next.

1029 F. F. Hinde Kopersetal — vs. Appellants — The Hinckley Locomotive Works.

1029 William K. Fosdick Etal — vs. Appellants — The Southwestern Car Co. — and — Wm. K. Fosdick Et al — vs. Appellants — Michael Schall, Intervenor.

The motion for a writ of certiorari in these cases was argued by Mr. K. Riddle — Roberts, in support of the same, and by Mr. H. Crawford, in opposition thereto.

1040 F. F. Hinde Kopersetal — vs. Appellants — The Hinckley Locomotive Works.

Mr. K. Riddle — Roberts having filed and read in open court a suggestion of

a diminution of the record in this cause in the words and figures following to-wit:

"1st. An entire and perfect copy of the record in what may be termed the main case, not including however the testimony save as applicable to the Intervenors, including however a list showing the amounts paid by order of Court, by consent through the Receiver, for supplies and other claims, and

2d. A complete copy of the record in the case of Osgood vs. The C. D. & V. Road, removed from the Circuit Court of Hill County, down to and including the order directing the complainant to intervene in the case of Fosdick and Fish, and showing the amount paid in that case through Receivers for supplies."

By reason of which omissions and errors aforesaid the said counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the Northern District of Illinois

commanding them that searching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of said Circuit Court whatever omissions and errors shall be found. On consideration whereof, It is now here ordered by this Court that a Writ of Certiorari be and the same is hereby awarded, to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States for the Northern District of Illinois commanding them that searching the records and proceedings aforesaid they forthwith certify to this Court under the seal of the said Circuit Court whatever omissions and errors shall be found in this cause, and return the same with the said Writ of Certiorari forthwith to this Court.

Per Mr. Chief Justice White

F. H. Hinde Koper et al.
1010 vs. Appellants
The Hinckley Locomotive Works.

William R. Fosdick et al
1029 vs. Appellants
The Southwestern Car. Co.
And
Wm. R. Fosdick et al
1030 vs. Appellants
Richard Schall Intervenor.

On motion of M. R. Biddle Roberts, it is ordered that the time allowed for submitting these causes be, and the same is hereby, extended until the first of March next.

Francis E. Hinckley, late Receiver &c,
626 vs. Appellant
The Gilman, Clinton & Springfield R. R. Co.

On motion of Mr. R. Biddle Roberts, of counsel for the appellee, It is ordered that the appellant show cause to this Court on or before the 28th instant why a good and sufficient Bond should not be given in this cause, the one now on file having become by reason of the failure of the sureties insufficient for the protection of the appellee.

201	Daniel Hand vs Johnson Haygood &c.	Plff in Error	On motion of Mr. P. Phillips, it is ordered that this cause be passed subject to provisions of section 7 Rule 21.

202	The Chicago Mississippi R.R. Co. vs. John McCarthy	Plff in Error	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. D. R. Paul of counsel for the plaintiff in error, and by Mr. J. S. Ryden for the defendant in error.

203	The City of Elizabeth et al. vs The American Nicholson Pavement Company	Appellants	Ordered by the Court that this cause be passed subject to provisions of section 7 Rule 21.

201	John E. Parsons and Alfred Lister vs. The Lehigh Zinc Co.,	Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Pennsylvania, and on the stipulation on file. It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite—

205	James S. Marshall vs. Wm. H. Seymour et al	Ordered that this cause be passed until No. 236 is reached.

206	Thomas G. Hewell Jr. vs. The United States,	This cause was submitted to the consideration of the Court on the

record and printed arguments by Mr. Thomas Wilson, of counsel for the

appellant and by Mr. Asst Atty Genl Smith, for the appellee.

Ann E. Mitchell, Executrix &c, et al v. The United States	This cause was argued by Mr. P. J. Durant of Counsel for the appellants, and

207 Appellants

submitted on printed argument by Mr. Asst Atty Genl Smith, for the appellee.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Tuesday, February 5th 1875.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Kesley Middleton Clerk.

Proclamation being made the Court is opened.

Thomas L. Clark
vs. Appellant
The United States.

On motion of Mr. Enoch Totten leave is hereby granted the Clerk to issue the Mandate in this cause.

Thomas B. Keogh 417. vs. Appellant The Orient Fire Insurance Co. et al this cause.	On motion of Mr. Enoch Totten, leave is hereby granted the Clerk to issue the Mandate in

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William C. Mowray 95. vs. Plff in Error The City Council of Charleston and Thomas C. Jenkins 237. vs. Plff in Error The City of Charleston.	On motion of Mr. Lowndes, Ordered that an half hour additional time be allowed each side in the argument of these cases.

William C. Mowray 95. vs. Plff in Error The City Council of Charleston and Thomas C. Jenkins 237. vs. Plff in Error The City of Charleston	The argument of these cases was commenced by Mr. Jas. Lowndes, of counsel for the plaintiff in error in No. 237, and continued by Mr. J. Phillips

and Mr. R. B. Carpenter, of counsel for the defendants in error, and by Mr. A. G. Magrath, of counsel for the plaintiff in error in No. 237.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock M.

Wednesday February 6, 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Jerome Carly it is ordered that Joseph L. Tull, Esquire, of Philadelphia, State of Pennsylvania, be admitted to practice as an attorney and counsel-lor of this Court and he was sworn accordingly.

96	Chas. D. Williams et al vs. Plff in Error Jacob N. Bruff, Admr &c.	On motion of Mr. A. H. Garnett it is ordered that the re argument of this cause be, and the same is hereby, postponed until Thursday the 14th instant.

95	William C. Murray vs. Plff in Error The City Council of Charleston And Thomas C. Jenkins, vs. Plff in Error 237 The City of Charleston	The argument of these cases was concluded by Mr. A. J. Magrath, of counsel for the plaintiff in error in No. 237.

208	Lindsay T. Pratt vs. Plff in Error John Pratt	This cause was argued by Mr. Jerome Carty and submitted on printed arguments by Mr. Edward J. Hill, of counsel for the plaintiff in error. No counsel appearing for the defendant in error.

Wednesday, February 6th 1878, Continued.

The United States
410 vs. Appellant
George Henderson et al.

The United States
411 vs. Appellant
Mark L. Elkins Jr.
and
The United States
412 vs. Appellant
George Colmer, Curator.

On motion of Mr. Assistant Attorney General Smith it is ordered that the decrees of dismissal entered in these cases on the 1st instant be, and the same are hereby struck out.

The United States
410 vs. Appellant
George Henderson et al.

Appeal from the District Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana, and on the motion of Mr. Assistant Attorney General Smith, of counsel for the appellant, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Wednesday February 6th 1878 continued

111.	The United States vs. Mark L. Elkins Jr.	Appeal from the District Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana, and on the motion of Mr. Assistant Attorney General Smith, of counsel for the appellant. It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

per Mr. Chief Justice Waite

112	The United States vs. George Colmer, Curator.	Appeal from the District Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana, and on the motion of Mr. Assistant Attorney General Smith, of counsel for the appellant. It is now here ordered,

adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby affirmed.

Jeremiah Chief justice Hall

Edward M. Durbank
vs. Plff in Error
Charles H. & L. L. Conrad

The argument of this cause was commenced by Mr. F. J. Durant, of counsel for the plaintiff in error, and continued by Mr. L. L. Conrad, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock

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Thursday, February 7th, 1878.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan

} Associate Justices

John G. Nicolay, Esquire, Marshal
David Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. A. Choate, it is ordered that Hon. P. W. Plumb, of Emporia, and J. R. McClure, Esquire, of Junction City, State of Kansas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

O. and B. Andreas Andreas & Company 218. vs. Appellants Hannah J. Redfield.	Mr. Asst. Atty. Gen. Smith suggested the death of Hannah J. Redfield, the appellee in this cause,

and moved the Court that the same be passed. Whereupon it is ordered that this cause be, and the same is hereby, passed.

Edward K. Burbank 209. vs. Writ in Error Chas. A. & L. L. Conrad.	The argument of this cause was continued by Mr. L. L. Conrad, of

counsel for the defendants in error, and concluded by Mr. Thomas J. Durant, of counsel for the plaintiff in error.

The County of Bates 210. vs. Writ in Error Jonathan & Valentine Winters.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr.

Thomas C. Reynolds and Messrs. Glover & Shepley, of counsel for the plaintiff in error and by Mr. J. K. Kinkead, for the defendants

in error.

Henry Gerke et al
211 vs. Appellants
Mary A. Beaverens et al.

Ordered by the Court that this cause be, and the same is hereby, passed for the present.

Charles Robinson
212 vs. Appellant
The Hartford & New York Steamboat Company &c.

The Steamboat "City of Hartford" &c
185 vs. Appellants
H. S. Rideout et al.
And
The Steamboat "City of Hartford" &c
186. vs. Appellants
Charles Robinson.

These cases were argued by Mr. R. N. Hunter, of counsel for the appellants in Nos. 185 & 186, and for the appellees in No. 212, by Mr. H. J. Sudder for Robinson, and by Mr. J. A. Choate for Rideout et al.

Andrew J. Hutchinson
213. vs. Appellant
The Steamboat "Northfield" vs

The argument of this cause was commenced by Mr. H. J. Sudder, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, February 8th, 1878.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles E. Hooker it is ordered that Frank Johnston, Esquire, of Jackson, State of Mississippi, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. T. Bangs it is ordered that Wm. F. Shepard, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. K. Johnston it is ordered that Wm. H. Old, Esquire, of Norfolk, State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. B. Henderson it is ordered that F. M. Cockrell, Esquire, of Warrensburg, State of Missouri, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Andrew J. Hutchinson 213 vs. Appellant The Steamboat "Northfield" &c.	The argument of this cause was continued by Mr. Miles, Beach, of counsel for the appellee, and concluded by Mr. H. F. Sudder, for the appellant.

Isabella Clark &c. 214 vs. Appellant Jno. D. Beecher, Assignee &c.	This cause was argued by Mr. H. F. Shepard, of counsel for the appellant, and by Mr. F. T. Bange, for the appellee.

Asa Hodges 215 vs. Appellant Nelson F. Hewitt.	Ordered by the Court that this cause be, and the same is hereby continued until the next term.

The County of Kay 216 vs. Plff in Error Horatio K. Dunscomb.	This cause was argued by Mr. J. B. Henderson, of counsel for the defendant in error,

and submitted on the printed argument

of Mr. H. S. Everett by Mr. F. H. Cockrell for the plaintiff in error.

A. D. Williams
228. vs. Appellant
Johnson Hagood &
Comptroller Genl &c.
and
John P. Southern et al.
229 vs. Appellant
Johnson Hagood &
Comptroller Genl &c.

Ordered by the Court that these causes be and the same are hereby passed subject to provisions of section 7, Rule 20

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday February 11th, 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan

Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr H. H. Smith, it is ordered that Charles C. East, Esquire, of Pueblo, State of Colorado, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Stanley Matthews it is ordered that John H. Ely, Esquire, of Columbus and John S. Harrington, Esquire, of Cincinnati State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were severally sworn accordingly.

537. Thomas J. Strong, v. The United States | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

Per Mr. Justice Harlan.

1792 John B. Bissell vs. Henry Heyward. | Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of South Carolina, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Wilson

1793 William M. King et al., heirs at law of James Turnbull, deceased. vs. Alfsin Error Irio Pardee, Edward Roberts, et al, Executors of A. S. Roberts, deceased, Edward Roberts Jr. et al. | In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Bradley

The City of Memphis et al. vs. Plffs in Error
The United States Ex rel: Talmadge & Brown.

In Errors to the Circuit Court of the United States for the Western District of Tennessee

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Strong

599	The City of Memphis vs. J. C. Brown	Appeal from the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the order of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Strong.

135	The Union Mutual Life Insurance Company vs. Daniel A. Mowry	In Error to the Circuit Court of the United States for the District of Rhode Island.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Rhode Island, and was argued by counsel. On consideration whereof, It is now

here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

The State of Wisconsin, original, vs. The City of Duluth. Complainant. | This cause coming on to be heard on the bill, answer, replication, and proofs, and the Court being now fully advised in the premises, It is ordered, adjudged, and decreed that the bill be, and the same is hereby, dismissed with costs.

per Mr. Justice Miller.

Elert Schumacher and William Johnson, vs. George B. Cornell. Appellants. 197. | Appeal from the Circuit Court of the United States for the Eastern District of Wisconsin.

Monday, February 11th, 1878, Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Swayne.

The Omaha Hotel Co. et al. vs. Joseph A. Wade et al.

188 Appellants

Appeal from the Circuit Court of the United States for the District of Nebraska.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska, and was argued by counsel.

On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

per Mr Justice Clifford.

Christopher G. Pearce and the Knight Claimants of the Steamboat Lady Pike Williams & Davidson & Peyton & Davidson their stipulators.

vs.

The Germania Insurance Co, The Niagara Insurance Co, The Hanover Insurance Co, and The Columbia Insurance Co.

Appeals from the Circuit Court of the United States for the Eastern District of Wisconsin.

198. Appellants

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Wisconsin, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in

this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of Wisconsin.

per Mr. Justice Clifford.

The First National Bank of Cincinnati
vs. Appellant
Theodore Cook, Alexander H. McGuffey, & James H. Dibley, Trustees of the estate of Benjamin Homans Jr, a Bankrupt.

Appeal from the Circuit Court of the United States for the Southern District of Ohio.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and

interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Ohio.

per Mr. Chief Justice Waite

Morris Kelchum et al
vs. Appellants
879. Wm. Butler Duncan et al.
And
Rodolph Merian et al
1037 vs. Appellants
Wm. Butler Duncan et al

On consideration of the motion to advance these cases, it is ordered that said motion be, and the same is hereby, denied.

Morris Kelchum et al
vs. Appellants
879 Wm. Butler Duncan et al.

On consideration of the motion to rescind the order suspending the operation of the Supersedeas in this cause and of the argument of counsel thereupon had on written support of, as against the same, It is ordered that the Circuit Court proceed with the execution of the decree appealed from upon

Hays Pierson and De Puy filing in this Court a Bond payable to the United States in the penal sum of seventy five thousand dollars with security to be approved by this Court conditioned to pay to the appellants and those whom they or either of them legally represent in the appeal the difference between the amount which they would respectively receive from the proceeds of the sale in case the disputed coupons of 1873 are on this appeal, disallowed as a part of the mortgage debt, and the amount they will receive if the mortgaged property shall be sold and distributed under the decree as it stands.

Per Mr Chief Justice Waite

Dissenting
Mr. Justice Miller
" " Clifford

1037 Rodolph Meriwether et al vs. Appellants
Wm. Butler Duncan et al. Appellees

Reconsideration of the motion to vacate or modify the supersedeas

in this cause, and of the argument of counsel thereupon had in support of and against the same. It is ordered that the Circuit Court proceed with the execution of the decree appealed from upon the appellees filing in this Court a bond payable to the United States in the penal sum of One hundred and fifty thousand dollars, with security to be approved by this Court conditioned for the payment to the appellants and those whom they lawfully represent in the appeal such sums as they may be respectively entitled to receive from the proceeds of the sale of the mortgaged property over and above that given by the decree as it now stands by reason of any reversal or modification by this Court of the order of the Circuit Court directing payments to be made to the holders of the Kennepec subdivision bonds in preference to the

holders of the bonds secured by the mortgage to Kelchum and his associates.

per Mr. Chief Justice Waite

Dissenting;
Mr. Justice Miller
" " Clifford

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511 Chester A. Arthur Collector &c. Hyam Exor vs. Geo A. Morrison et al.
512 " " " " " " Jonah H. Lyon et al.
609 " " " " " " E. Burkart et al.
515 " " " " " " Jno. Zimmerman
607 " " " " " " A. Bartow et al
516 " " " " " " L. Mansfield et al
304 Thos. Murphy " " " " " " G. Morrison et al.
493 p.M. & A. K. Davies " " " " C. A. Arthur, Coll'r &c.
604 Chester A. Arthur Collector &c " " " " J. M. & A. K. Davies
605 " " " " " " Benj. Honer et al.
54 Wm. Duden et al " " " " C. A. Arthur Coll'r &c
606 C. A. Arthur Collector &c " " " Henry Herrman et al.
532 p. S. C. & H. Kelsum Exec's &c " " Thos. Murphy, late Coll'r
511 C. A. Arthur Collector &c " " " J. M. & T. K. Goddard
602 " " " " " " Leon Rheims
603 " " " " " " C. K. & E. Fowler
601 The United States " " " Fenwick Moore

On consideration of the motion of Mr. [illegible]

Attorney General Smith. It is ordered that these cases be, and the same are hereby, advanced.

Per Mr. Chief Justice Ware

The Chief Justice announced that the Court would take a recess from Monday the 25th of February to Monday the 25th of March next.

Henrietta Davidson, testy Executrix &c.
33 vs. Plff in Error
The Board of Administrators of the City of New Orleans et al.

On motion of Mr. P. Phillips leave is hereby granted the Clerk to issue the Mandate in this cause.

The Mutual Benefit Life Insurance Company
119 vs. Plff in Error
C. C. Higginbotham, Admr &c.

On motion of Mr. Francis Miller leave is hereby granted the Clerk to issue the Mandate in this cause.

Monday, February 11th 1856, Continued

91	The New Orleans Canal & Banking Co. et al. vs. Appellants A. B. Montgomery et al.	On motion of Mr. H. H. Boyce leave is hereby granted him to file petition to recall the Mandate and for a rehearing in this cause.

121	A. Lamont Chubb vs. Plff in Error Clark H. Upton, Assignee &c.	On motion of Mr. H. H. Phillips leave is hereby granted the Clerk to issue the Mandate in this cause.

123	George Ferguson vs. Plff in Error Charles McLaughlin.	On motion of Mr. Fillmore Beall leave is hereby granted the Clerk to issue the Mandate in this cause.

1048	Charles Bouligny et al. vs. Appellants The United States.	Mr. Asst Attorney General Smith, of counsel for the appellee,

having filed and read in open court the following certificate and stipulation

Court.

United States District Court
District of Louisiana.

Clerk's Office
New Orleans, February 5, 1878.

Bouligny, et al
-vs-
The United States
} No. 1st
New Land Docket.

I hereby certify that it appears from the record on file in the above cause, that the following named persons are the plaintiffs, viz: Charles Bouligny, L. Ernest Bouligny, Octavie Bouligny, Estelle Bouligny, wife of Stanislaus Viosca, Amelie Bouligny widow of Désiré Brand, Louise Bouligny widow of Charles Baron, Josephine Bouligny wife of Francis G. Bolio, Amanda Bouligny wife of Gustave Benoit Grima, Ernestine Bouligny widow of Day, Marie Elizabeth Bouligny as tutrix of Corinne & Félicité Bouligny, George Desmine Logan, Joseph Edward Logan, Henri Logan, Félicité Estelle Logan wife of W. T. D. Dalzell, Marie Pauline Logan, wife of P. J. Postell, Amanda Logan wife of D. P. Penman, Félicie

Odile Delery, Marie Josephine Delery, Jean Baptiste Deconine Dauterive, Felicite Eleonore Dauterive widow of Augustin Richard, Adeline Dauterive widow of Jules Noël, Joseph Valliere Dauterive and Bernard Dubuclet Dauterive, heirs and legal representatives of Jean Antoine Bernard Dauterive, deceased.

Attest: R. Devonshire
(Seal) Dy Clerk.

Supreme Court of the United States
October Term 1877.

Cross appeal by Petitioners from so much of the decree rendered by the United States District Court for the District of Louisiana, June 8, 1876, signed June 12th 1876, as denies petitioners indemnity for seventy five thousand two hundred and two 100 acres of land re-granted by the Spanish Authorities of Louisiana.

United States District Court for the District of Louisiana.

No. 17. New Land Docket.

Charles Bouligny, L. Ernest Bouligny, Clarie Bouligny, Estelle Bouligny, wife of Stanislaus Plassan, Familie Bouligny, widow of Desire Berard, Louise Bouligny widow of Charles Daron, Josephine Bouligny wife of Francisco G. Bolis, Amanda Bouligny wife of Gustave Benoit Genin, Ernestine Bouligny widow of Day, Marie Elizabeth Bouligny as Tutrix of Corinne and Felicite Bouligny, George Deconinne Logan, Joseph Edward Logan, Henry Logan, Felicite Estelle Logan wife of W. S. K. Dalzell, Marie Pauline Logan, wife of B. J. Postell, Amanda Logan wife of D. P. Fennar, S. H. Logan Long, Joseph Alfred Delery, Felicite Deconinne Dauterive, Felicite Eleonore Dauterive, widow of Augustin Richard, Adeline Dauterive widow of Jules Noel, Joseph Valliere Dauterive, and Bernard Dubuclet Dauterive. Petitioners

vs.

The United States.

It is hereby admitted that the Cross-ap-

peal of petitioners in the above entitled cause was duly sued out and allowed June 9, 1876, returnable to the then next October Term of the Supreme Court of the United States; that said cross-appeal has never been docketed in said Supreme Court and that petitioners have never filed the record of said case, the record therein having been filed solely by the United States on their own appeal in said case.

And it is hereby stipulated by counsel that said cross appeal may be docketed and dismissed on motion in behalf of the United States.

Edward James

of counsel for cross appellants

and having stated that the appellants had altogether failed to file the record of said cause in this Court or in any way to prosecute said appeal, now here moved the Court, in pursuance of said stipulation and of the 9th rule of this Court, to have this appeal docketed and dismissed. On consideration whereof,

It is now here ordered, adjudged, and decreed by this Court that this appeal from the District Court of the United States for the District of Louisiana be, and the same is hereby, dockeled and dismissed. And that this cause be, and the same is hereby, remanded to the said District Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

1878. Ferdinand M. Goodrich vs. Logan Hunton. Appellant

Durant for Horner, of counsel for the appellee, suggested the death of Ferdinand M. Goodrich, the appellant in this cause, and moved the Court for an order, under the 16th Rule, to make the proper representatives parties. Whereupon it is now here ordered by this Court that unless the proper representatives of the said Ferdinand M. Goodrich, deceased, as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court the appellee shall be entitled to have this appeal dis-

missed. Provided, that a copy of this order shall be printed in some newspaper at the seat of Government in which the laws of the United States shall be printed by authority for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

For Mr. Chief Justice Waite.

	Chester A. Arthur, Collector &c.	On motion of Mr. Asst Attn Genl Smith it is ordered
225	vs. Plff in Error	that this cause be passed.
	Thomas Trofer.	

	The United States	The motion to re-
506	vs. Appellant	mand the record
	Walter Pugh.	in this cause to the

Court of Claims for additional findings was argued by Mr. Edward Janin, in support of said motion, and by Mr. Asst Attorney General Smith, in opposition thereto. Whereupon this Court not being now sufficiently advised of and concerning what order

to render in the premises took time to consider.

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217. The U. S. Trust Co. of New York as Executor &c. vs. Appellant
Jno. Sedgwick &c. as Special Receiver &c. vs.

The argument of this cause was commenced by Mr. E. D. Van Winkle, of counsel for the appellant.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Tuesday, February 12th, 1878.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan.

} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

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226 The Steamboat "Amador" &c
vs. Appellants
Louis Zephyr

On motion of Mr. J. H. Storrs, it is ordered that this cause be passed on account of sickness of counsel, pursuant to section 7, Rule 16.

Tuesday, February 12th, 1895, Continued

217 The Nat. Trust Co. of Ky. as Executor &c. et al. vs. Appellants
John Sedgwick as Special Receiver &c.

The argument of this cause was continued by Mr. E. S. Vanwinkle of counsel for the appellants, by Mr. S. M. Sangs for the appellees, and concluded by Mr. Vanwinkle for the appellant.

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219 John Flinn vs. Appellant
August Obermann

This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Geo. L. Chapin, of counsel for the appellant. No counsel appearing for the appellee.

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220 C. C. & Nancy Martin et al. vs. Plffs in Error
James Markle

Mr. F. J. Durant moved the Court for leave to Mr. Cuppy to file brief for the plaintiffs in error in this cause. Whereupon it is ordered that said motion be, and the same is hereby, denied.

220.	Eliza Mary Martin et al. vs. Plff in Error James Marks,	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. Durant and Mr. Honor of counsel for the defendant in error.

187	William M. Corry vs. Plff in Error Hugh Campbell	This cause was argued by Mr. Jno. H. Key and Mr. Wm. M. Corry for the plaintiff in error. The Court declined to hear argument for the defendant in error

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Proclamation being made the Court is adjourned until to morrow at twelve o'clock

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Wednesday, February 13th 1878

Pursuant to adjournment the Court met to-day at the Capitol

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Kesley Middleton, Clerk

Proclamation being made the Court was opened

On motion first made to the Court in this behalf by Mr. George Harding it is ordered that Henry McHerman, Esquire, of Leavenworth, State of Kansas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr. S. S. Henkle it is ordered that J. C. Hemingray, Esquire, of Salt Lake City, Utah Territory, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. E. McDonald it is ordered that Solomon Claypool, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1048 Charles Bonfigny et al. vs. The United States. Appellants

On motion of Mr. Edward Janin leave is hereby granted the Clerk to issue the Mandate in this Cause.

Wednesday, February 18th, 1873, continued.

The United States vs. Plaintiff Stephen J. Summers and George Reynolds vs. Plff in Error The United States.	Mr. Solicitor General Phillips submitted to the consideration of the Court motion to advance these cases.

The Rubber Coated Harness Trimming Co. vs. Appellant William M. Welling.	This cause was argued by Mr. J. C. Clayton and Mr. A. D. Keasby for the appellant, and by Mr. F. H. Betts for the appellee.

Mrs. Bessie Edgell Gaupen, Executrix &c vs. Plff in Error The United States.	Ordered by the Court that this cause be, and the same is hereby continued until the next term.

223	Jasper K. Herbert vs. Plff in Error Benjamin F. Butler	This cause was argued by Mr. J. K. Herbert, the plaintiff in error, and by Mr. T. J. Durant, for the defendant in error.

224	Thomas Snell et al vs. Appellants The Atlantic Fire and Marine Insurance Co.	Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, February 14th, 1878.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan

} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court adjourned.

On motion first made to the Court in this behalf by Mr. George Harding it is ordered that Charles H. Hollis, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Thursday, February 14th, 1878, Continued

On motion first made to the Court in this behalf by Mr. W. P. Lynde it is ordered that Henry D. Fuller, Esquire, of Racine, State of Wisconsin be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. J. Coombs it is ordered that James O. Parker, Esquire, of Williamsport, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. Hubley Ashton, it is ordered that Lewis Jones, Esquire, of Scranton, State of Pennsylvania, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The President &c of the Bank of Kentucky
76 of 1876 vs. Aff in Error
The Adams Express Company.
The Planters and National Bank of Kentucky
77 of 1876 vs. Aff in Error
The Adams Express Company

On motion of P. Phillips, for plaintiff in error, it is ordered that the original bills of lading filed in these cases be withdrawn leaving certified copies of the same

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Chas B. Williams et al
96 vs. Aff in Error
Jason N. Bruffy, Admr &c

On motion of Mr. H. A. Mauro, leave is hereby granted him to intervene and file brief in this cause on the question of jurisdiction.

Chas B. Williams et al
96 vs. Aff in Error
Jason N. Bruffy, Admr &c

The re-argument of this cause was commenced by Mr. Enoch Totten, of counsel for the plaintiffs in error, continued by Mr. H. H. Garnett and Mr. T. Jesup Miller, of counsel for the defend

ant in error, and concluded by Mr. T. O. Howe, for the plaintiffs in error.

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227 A. J. Gregory vs. Iliff in Error N. A. Morris et al

This cause was argued by Mr. W. H. Corlett, of counsel for the plaintiff in error, and by Mr. J. M. Wilson, for the defendants in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday. February 15th 1873.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate justices.

John G. Nicolay Esquire, Marshal
Daniel Lesley Middleton, Clerk

Proclamation being made the Court is opened.

Albert Grant
vs.
Samuel Strong
} 170 of 1873. On motion of Mr. E. Pollen leave is given to withdraw the original rule filed in this cause, on leaving a certified copy of the same.

230.	C. C. & Nancy Martin et al vs. Plaintiff in Error, James Marks	On motion of Mr. Cuppy leave is hereby granted him to file brief in behalf of plaintiffs in error in this cause.

230.	Gabriela Doberanes de Cambuston, Executrix &c. vs. Plaintiff in Error Miles Gray	This cause was submitted to the consideration of the Court on the record and printed argument by Mr. S. C. Houghton and Mr. John Reynolds, of counsel for the defendant in error.

231.	Lewis Jones et al vs. The Grover & Baker Sewing Machine Co.	This cause was argued by Mr. J. K. Ashton, of counsel for the plaintiffs in error. The Court declined to hear argument for the defendant in error.

Friday February 15th 1875 Continued

233 The Union Paper Bag Machine Company & Samuel Cupples, v. Appellants, Morris K. Murphy & R. H. Murphy.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and on the motion of Mr. George Harding, of counsel for the appellants, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is, hereby, dismissed with costs.

per Mr. Chief Justice Waite

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232 The Union Paper Bag Machine Co. et al v. Appellants, Morris K. Murphy & R. H. Murphy

This cause was argued by Mr. George Harding of counsel for the appellants, and by Mr. S. S. Boyd, of counsel for the appellees.

The Steamboat "Hamoke Page" &c.
234 vs. Appellant
Francis Marker
and
The Steamboat "Hamoke Page" &c.
235 vs. Appellant
Lewis H. Phillips,

These cases were argued by Mr. Kennion O'Mahony, of counsel for the appellants and by Mr. A. J. Semmes of counsel for the appellees.

James S. Marshall
236 vs. Appellants
Wm. H. Segmond et al.
and
James S. Marshall,
205 vs. Appellants
Wm. H. Segmond et al.

On motion of Mr. J. J. Coombs, one hour additional time allowed each side in the argument of these causes.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Tuesday adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan.

} Associate justices

John D. Pierce, Esqr. Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

James E. Faulconer, James C. Moore, Esqrs. in Bankruptcy & Jas. J. O'Fallon & Samuel A. Hatch composing the firm of O'Fallon & Hatch

vs. Plaintiffs in Error.

The New Orleans Savings Institution.

In Error to the Circuit Court of the United States for the District of Louisiana.

167

Monday, February 8th 1875. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan

190. James E. Graham and James C. Moore, Assignees in bankruptcy of James F. Hatch and Samuel A. Hatch, composing the firm of Hatch & Hatch vs. Plaisance & Butler & Milner, Shield Executors of Dr. Shields deceased. In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel-

On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

For Mr. Justice Harlan

James E. Yalman & James C. Moore Assignees in bankruptcy of James J. Fuller & Samuel H. Kalch, composing the firm of Fuller & Kalch vs. Fifth in Error John A. Tunnell.	to the Circuit Court of the United States for the District of Louisiana.

191.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

For Mr. Justice Harlan

James C. Zealand and James C. Moore, Assignees in bankruptcy of Jas. C. Fulton and Samuel H. Hale composing the firm of C. Fulton & Hale &c.

1847 v. Pepper in Error

Samuel Smith, Andrew K. Smith, & Charles Kelshaw composing the firm of Samuel Smith & Co.

} In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Nelson

Monday February 8th 1875. Continued.

James E. Pulsman & James E. Moore Assignees in bankruptcy of Jas. J. Patterson and Samuel S. Hebb composing the firm of Patterson Hebb & Co. vs. L. F. Fenerie,

In Error to the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Harlan.

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213 Andrew J. Hutchinson v. Appellant
The Steamboat "Northfield", her tackle &c. The Staten Island Railroad Company, Claimants.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs and interest, until paid at the same rate per annum that decrees bear in the Courts of the State of New York.

Per Mr. Justice Hunt

115 The Knickerbocker Life Insurance Company vs. Pliny Error, Phoebe A. Sperlon.

In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be and the same is hereby affirmed with costs and interest until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

Per Mr. Justice Bradley

Dissenting:
Mr. Justice Strong
" " Swayne
" " Field

673. Charles B. Lamborn vs. The Board of County Commissioners of the County of Dickinson. | In Error to the Circuit Court of the United States for the District of Kansas.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Bradley.

1006. Charles T. Cromwell vs. Iffin Ernst, The County of Sac, State of Iowa. and The County of Sac, State of Iowa. vs. Iffin Ernst, Charles T. Cromwell. | In Error to the Circuit Court of the United States for the District of Iowa.

1023

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, on writ of error and was argued by counsel. On consideration whereof It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed ~~with costs~~; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a judgment for the plaintiff, in conformity with the opinion of this Court. Costs in this Court to be paid by the County of Jay.

Mr. Justice Field

202 The Ohio & Mississippi Railway Company vs. Affin Error — John McCarthy

In Error to the Circuit Court of the United States for the Eastern District of Missouri

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here

ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

per Mr. Justice Swayne

The Steamboat City of Hartford, her tackle &c. The Hartford & New York Steamboat Co. Claimants.
185 vs. Appellants
Hudson S. Rideout et al.

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby

affirmed with costs and interest, until paid at the same rate per annum that decrees bear in the Courts of the State of New York.

Per Mr. Justice Clifford.

The Steamboat "City of Hartford" her tackle &c. The Hartford & New York Steamboat Co. Claimants — Appellants
vs.
Charles Robinson — Appellee

No. — Appeals from the Circuit Court of the United States for the Southern District of New York.

And

Charles Robinson — Appellant
vs.
The Hartford & New York Steamboat Co. Claimants of the Steamboat "City of Hartford" — Appellees

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit

Circuit Court, in this cause, be modified as follows, viz: It is ordered, adjudged and decreed that the libellant in addition to the decree against the steamer do recover against the steamship, her tackle, apparel and furniture, the sum of one thousand eight hundred and fifty one dollars and fifty six cents, being one half part of the damages sustained by the libellant by reason of the collision, including interest thereon to the date of the decree of the District Court, and the sum of three hundred and thirty-seven dollars and fourteen cents for the interest on said half part to the date of the Circuit Court decree and that the libellant do also recover of the steamship one half of the costs of said libellant incurred in the district Court in the seizure of the steamship, with interest on the same to the date of the Circuit Court decree, together with one-half of the costs of the Circuit Court as there taxed, and that the steamship, her tackle, apparel and furniture be condemned therefor.

And it is further ordered, adjudged, and decreed that if either of the offending vessels is unable to pay her moiety of the damage, interest, and costs, the libellant shall have a remedy over against the other offending vessel for any such balance.

And it is further ordered adjudged, and decreed that in all other respects the decree of the said Circuit Court be, and the same is hereby, affirmed with interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of New York. The costs in this Court to be paid by the Hartford & New York Steamboat Company.

Per Mr. Justice Clifford

The United States	Appeal from the
1031 v. Appellant	Court of Claims
John T. Morrison	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel.

On consideration whereof, It is now hereby ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Waite

The Steamboat "Blanche" Page, her engines &c. vs. Francis Marker. 2311

Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel.

On consideration whereof, It is now hereordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of New York.

Per Mr. Chief Justice Waite

The Steamboat "Hamilton" Page's Heirs Engineer &c. Edward Moran, Claimant	Appeal from the Circuit Court of
235 vs. Appellant,	the United States
Lewis L. Phillips	for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of New York.

(For Mr. Chief Justice Waite.)

William H. Corry	In Error to the Su-
187 vs. Affirm Error	preme Court of the
Hugh Campbell	State of Ohio

This cause came on to be heard on the transcript of the record from the Supreme

Court of the State of Ohio, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice White

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231 | Lewis C. Jones and John C. Morris vs. Elijah Pfifer in Error | In Error to the Circuit Court of the United States for the Western District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear

in the Courts of the State of Pennsylvania.

Per Mr. Chief Justice Waite

206. Thomas G. Blewett jr. vs. The United States. | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause, be, and the same is hereby affirmed.

Per Mr. Chief Justice Waite

219. John Flinn vs. August Oberman. | Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here

ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Chief Justice Waite

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230. Gabriella Sobernes De Cambuston, Executrix of Henry Cambuston, dec'd. vs. Miles Gray — In Error to the Circuit Court of the United States for the District of California

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

The United States 418 vs. Plaintiff Stephen J. Simmons and George Reynolds 1155 vs. Error The United States.	On consideration of the motion to advance these cases, It is now here ordered by the Court that said motion be, and the same is hereby, granted. Per Mr. Chief Jus. Waite

The Chief Justice announced to the Bar that all previous orders advancing causes would be rescinded unless fixed for hearing at an early day after the recess.

John Young, Trustee in Bankruptcy of Wm. Collier. 781. vs. Appellant The United States.	On motion of Mr. Assistant Attorney Genl. Smith it is ordered that this cause be assigned for argument on Monday the 15th of March next.

Monday, February 18th, 1878, Continued

517 Chester A. Arthur, Collector &c, Kfjm Exec, vs. Jno. A. Morrison et al
518 " " " " " " " Josiah A. Lakey et al
609 " " " " " " " C. Burkart et al
515 " " " " " " " Jno. Zimmerman
607 " " " " " " " F. Stephani et al
516 " " " " " " " L. Busefield et al
3011 Thos. Murphy, " " " " " B. Arnoon et al
1192 J. M. & K. Davies, " " " " Chester A. Arthur, Coll'r &c.
604 Chester A. Arthur, Collector, " " " " J. M. & K. Davies.
608 " " " " " " " Benj. Homer et al.
5119 Wm. Duden et al " " " C. A. Arthur, Coll'r &c
606 C. A. Arthur, Coll'r &c " " " Henry Hermann et al.
532 J. K. & H. Kohlsaat, Exrs " " " Thos. Murphy, late Coll'r &c.
5114 C. A. Arthur, Coll'r &c " " " " J. K. & H. Kohlsaat
602 " " " " " " " " Leon Reimus
603 " " " " " " " " C. K. & E. Fowler
601 The United States, " " " " Hunter Wood

On motion of Mr. Asst Attorney General Smith, it is ordered that these cases be assigned for argument on Monday the 25th of March next.

137 Christian H. Lilienthal
vs. Affirm Error
The United States

Mr. Asst Atty Genl Smith moved the Court for leave to the Clerk to issue the Mandate in this cause which was opposed by Mr. Merrick. Whereupon it is ordered that said motion be, and the same is hereby, denied for the present.

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705 The City Council of Alexandria
vs. Affirm Error
Orlando Fairfax

Mr. C. H. Hall moved the Court for leave to the Clerk to issue the Mandate in this cause which was opposed by Mr. Coughlan. Whereupon it is ordered that said motion be denied for the present.

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102 The U.S. Exrel: H. A. Johnston
vs. Affirm Error
The County Court of Clark County &c.
and
600 The U.S. Exrel: H. A. Johnston
vs. Affirm Error
The County Court of Clark County &c.

On motion of Mr. Osborn leave is hereby granted the Clerk to issue the Mandates in these causes.

10	The United States vs. Appellant The Union Pacific R.R. Co's	Mr. Solicitor General Phillips moved the Court for direction in regard to the re-argument of this cause.

56½	Charles H. Holden vs. Appellant The Freedman's Saving & Trust Co. et al.	The motion for the appointment of a receiver &c, in this cause, was submitted to the consideration of the Court by Mr. E. Felton, in support of the same, and by Mr. H. A. Meloy, in opposition thereto.

57½	Morris Ketchum et al's vs. Appellants Wm. Butler Duncan et al's	The argument of the motions for release from the Supersedeas bond and to substitute participation in place of purchase in lieu of appellee bond was commenced by Mr. George Hoadley in support of said motions. Further argument postponed until Friday the 22d instant.

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101 The Jefferson City Gas Light Company vs. Pfeiffer Error Freeman Clark et al. And

25 The City of New Orleans vs. Pfeiffer Error Freeman Clark et al

On motion of Mr. J. M. Wilson leave is hereby granted the Clerk to issue the Mandate in these cases.

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326 The Board of County Commissioners of Douglas County Wm. Anton C. Althaus Treasurer of said County vs. Appellants The Union Pacific Rail Road Company

Appeal from the Circuit Court of the United States for the District of Nebraska

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Nebraska and on the stipulation of counsel on file, and motion of Mr. C. J. Poppleton, of counsel for the appellee, it is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby

dismissed - each party paying their own costs in this court.

Per Mr. Chief Justice Waite

James S. Marshall et al. vs. Appellants Wm. H. Seymour et al. And	The argument of these causes was commenced by Mr. J. J. Coombs of counsel for the appellants.
230	
Jas. S. Marsh et al vs. Appellants Wm. H. Seymour et al.	
205	

Morris Ketchum et al. vs. Appellants Wm. Butler Duncan et al.	On motion of Mr. E. L. Andrews, leave is hereby granted him
179	

to file a petition for a re-hearing on the motion in this cause.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M.

Tuesday February 16th 1864.

Pursuant to adjournment the Court met to-day at the Capitol

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan

} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Kesley Middleton, Clerk.

Proclamation being made the Court opened

On motion first made to the Court in this behalf by Mr. Solicitor General Phillips, it is ordered that H. Spencer, Esquire, of Bloomington, State of Illinois, and William H. Lunzer, Esquire, of Brooklyn, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The United States 191 vs. Appellant Irving F. Wilcox.	On motion of Mr. J. G. Kimball it is ordered that leave be granted the Clerk to issue the Mandate in this cause.

The Natoma Water & Mining Company. 132 vs. Plff in Error Benjamin N. Bugbey.	On motion of Mr. A. A. Sargent, it is ordered by the Court that the order entered on the 21st day of January, 1875, recalling the mandate in this cause, be, and the same is hereby, rescinded and annulled. And it is further ordered that said mandate have the same force and effect as if said order recalling the same had never been entered.

Tuesday, February 19th, 1855, Continued.

	James S. Marshall et al	The argument of these cases was continued by Mr. J. J. Coombs, of counsel for the appellants, by Mr. Serg. Harding, of counsel for the appellees, and concluded by Mr. J. C. Parker for the appellants.
236	vs. Appellants	
	Wm H. Seymour et al	
	And	
	James S. Marshall et al	
205	vs. Appellants	
	Wm H. Seymour et al	

Proclamation being made the Court adjourned until to morrow at twelve o'clock.

Wednesday February 20th, 1875.

Pursuant to adjournment the Court met to day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices.

John G. Mooney Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Geo. W. McCrary it is ordered that A. J. McCrary, Esquire, of Keokuk, State of Iowa be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

235.	The United States vs. Appellant The Atchison, Topeka & Santa Fe Railroad Co.	This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. Attorney General Devens and Mr. Asst Attorney General Simons, for the appellant, and by Mr. Thos. A. Talbot, for the appellee.

238.	Richard P. Morgan Jr. vs. Appellant The Chicago & Alton Railroad Company.	This cause was argued by Mr. A. Spencer, of counsel for the appellant, and by Mr. John P. Wilson, for the appellee.

239.	Eunice L. B. Sawyer, Admix of F. P. Sawyer, dec'd vs. Appellant Joseph Heaven	This cause was argued by Mr. A. T. Britenden, of counsel for the appellant. No counsel appearing for the appellee.

Wednesday, February 20th 1873, Continued

Chas. E. Grant, Appellant
vs.
The Shetucket Bank Corporation
No. 213 et al.

This cause was submitted to the consideration of the Court on the record and printed arguments by Messrs. Miller and Frost, of counsel for the appellant, and by Mr. C. B. Lawrence, for the appellee.

The Connecticut General Life Insurance Co.
Appellant
vs.
No. 210 Bernard Bienstine.

The argument of this cause was commenced by Mr. S. A. Bond, of counsel for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday February 21st 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay Esquire Marshal
Daniel Wesley Middleton Clerk

Proclamation being made the Court was opened

On motion first made to the Court in this behalf by Mr. Enoch Totten it is ordered that Charles B. Waite, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Mr. H. A. Herbert submitted a suggestion of an amendment to the 29th Rule of this Court.

The 1st National Bank of Kansas City vs. In Error The Hartford Fire Ins. Co.	On motion of Mr. Enoch Totten leave is hereby granted the Clerk to issue the Mandate in this cause.

167

The Connecticut Mutual Life Insurance Co. vs. Appellant Bernhard Bernstine.	The argument of this cause was continued by Mr. S. R. Bond, of counsel for the appellant, by Mr. Enoch Totten, for the appellee, and concluded by Mr. Bond for the appellant.

210

Timothy A. Huntington, Admx. vs. Appellant The National Savings Bank of the Dist. of Columbia.	Ordered that this cause be, and the same is hereby passed for the present.

211

Thursday. February 21st, 1878, Continued.

176. Wm. P. Tyson et al vs. Appellants / Margaret Myers, Executrix &c

The argument of this cause was commenced by Mr. Samuel J. Glascy, of counsel for the appellants. The Court declined to hear further argument in this cause.

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196. John R. McPherson vs. Appellant / Mary N. Cox.

The argument of this cause was commenced by Mr. P. Phillips, of counsel for the appellant, and continued by Mr. Albert Pike, for the appellee.

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875. The United States vs. Appellant / The Atchison, Topeka & Santa Fé R. R. Co.

On motion of Mr. Assistant Attorney General Smith leave is hereby granted him to file a reply brief in this cause.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, February 22d, 1878.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Kesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. J. M. Wilson it is ordered that M. Marks, Esquire, of Donaldsonville, State of Louisiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

1069	John D. McPherson vs. Mary A. Cox. Appellant	The argument of this cause was continued by Mr. A. Pike of counsel for the appellee, and concluded by Mr. George F. Appleby for the appellant.

879	Morris Kelchum et al. vs. Wm. Butler Duncan et al. Appellants	The argument of the motion for release from supersedeas bond and to substitute participation in plan of purchase in lieu of appellees bond was continued by Mr. F. H. Bangs in opposition to the motion, and concluded by Mr. E. L. Andrews in support thereof.

1037	Rodolph Merian et al vs. Wm. Butler Duncan et al. Appellants	The motion for release from supersedeas bond and to substitute participation in plan of purchase in lieu of appellees bond was argued by Mr. E. L. Andrews in support of the same and by Mr. F. H. Bangs in opposition thereto.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, February 25th, 1878.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
Associate Justices
John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. M. H. Carpenter it is ordered that Newton S. Murphey, Esquire, of Milwaukee, State of Wisconsin, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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210. The County of Dallas, Plff in Error
vs.
Jonathan Winters and Valentine Winters.

In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs, and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to proceed with a new trial in conformity with the opinion of this Court.

Mr. Justice Hunt delivered the opinion of the Court.

Dissenting;
Mr. Justice Clifford
" " Swayne
" " Strong

778 The United States, Ex rel: Talmadge E. Brown vs. The City of Memphis et al. | In Error to the Circuit Court of the United States for the Western District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Tennessee, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Strong.

207 Ann E. Mitchell, Executrix, and Rhoda N. Mitchell, Edwin C. Sturgis, and Stafford N. Davis, testamentary Executors of Samuel L. Mitchell, deceased. vs. The United States. | Appeal from the Court of Claims.

This cause came on to be heard on the

transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

per Mr. Justice Strong.

C. C. Martin, and Nancy Martin personally and as tutrix of her minor children. vs. James Marks,

220. Plff in Error

In Error to the Supreme Court of the State of Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, it is, now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Miller.

Monday, February 25th, 1878, Continued

504	The United States vs. Cyrus C. Clark.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, reversed; And that this cause be, and the same is hereby, remanded to the said Court of Claims for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Miller

Dissenting
Mr Justice Harlan
" " Clifford
" " Swayne
" " Strong

The Union Paper Bag Machine Company & Samuel Cupples,
232. vs. Appellants
Merick Murphy and R. H. Murphy.

Appeal from the Circuit Court of the United States for the Eastern District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in favor of the complainants and for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Clifford.

Charles O. Baird, H. K. Keeper, & John B. Austin, Executors of Matthew Baird, deceased	Appeal from the Court of Claims.
176. vs. Appellants	
The United States	

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Waite.

William P. Tyson and Martin Murphy	Appeal from the Circuit Court of the United States for the Southern District of New York.
176. vs. Appellants	
Margaret Myers, Executrix of John Myers, dec'd, Robert G. Ennson, and Mary Canfield Admix, and Horace Mannel, Admr. of Isabella Stewart, deceased.	

Monday, February 25th, 1878, Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that decrees bear in the Courts of the State of New York.

Per Mr. Chief Justice Waite

25.	Theodore Shillaber vs. John Robinson.	Appellant	Ordered that the petition for re-argument in this cause be granted and

that the same be assigned for the 2d of April next.

563.	Charles H. Holden vs. The Freedmans Saving & Trust Co. et al.	Appellant	On consideration of the motion for additional supersedeas bond and ap-

pointment of a receiver in this cause, it is ordered that said motion be, and the same is hereby, denied.

877	Morris Kelchum et al vs. Appellants Wm. Butler Duncan et al And Rodolph Merian et al vs. Appellants Wm. B. Duncan et al.	On account of the peculiar character of these cases, and the special circumstances affecting them, they are advanced upon the docket and set down for argument on the 22d April next.
1037		

Further action under the order announced Feby 11th is suspended for the present.

The Clerk is directed to cause the record to be printed forthwith.

Per Mr. Chief Justice Waite.

Order of Court.

Ordered that in all cases decided prior to the 1st day of February instant, where no petition for rehearing is pending, the Mandate may issue after this date when applied for.

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809. N. S. Hunnicutt et al vs. Plff in Error
Balie Peyton et al.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. Balie Peyton and Mr. P. Phillips, in support of the same, and by Mr. L. H. Goodrich, in opposition thereto.

1052. Tipton County vs. Plff in Error
Norton, Slaughter & Co

The motion for a new supersedeas bond in this cause or to affirm the judgment was submitted to the consideration of the Court on printed arguments by Mr. W. H. C. Humes, in support of the same, with leave to counsel for Plff in error to file brief in opposition thereto.

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157 The Union Gold Mining Company of Colorado vs. Kiff in Error / The Rocky Mountain National Bank of Central City &c. and / The Omaha Hotel Co. et al. 188 vs. Appellants / Joseph A. Wade et al

On motion of Mr. J. M. Woolworth leave is hereby granted the Clerk to issue the Mandates in these causes.

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148. W. F. Drake vs. Kiff in Error / The Exchange and Deposit Bank of Knoxville.

On motion of Mr. S. F. Phillips, it is ordered that this cause be assigned for argument on the 2d of April next.

1053. The United States vs. Appellant / James Driscoll.

On motion of Mr. Solicitor General Phillips, it is ordered that this cause be advanced - time for argument to be fixed by counsel.

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153. Rogers G. Hitchcock & al. vs. Appellants
The City of Galveston.

On motion of Mr. S. S. Henkle leave is hereby granted the Clerk to issue the Mandate in this cause.

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879. Morris Kelchum & al vs. Appellants
Wm. Butler Duncan & al.

Mr. F. R. Lange, of counsel for the appellee, having filed and read in open court a suggestion of a diminution of the record in this cause in the words and figures following, to wit, that

"1. Order of May 11th, 1875, appointing Receivers.

2. Bonds of Duncan & Elliott as Receivers.

3. Inventory of property in hands of Receivers, filed September 29, 1875.

4. Petition of Rogers Locomotive Works, filed January 3, 1876.

5. Order on said petition.

6. Petition for injunction and permission to bring suits, filed June 8, 1876, and order thereon, and writ of injunction—

and returns.

7. Motion for dissolution of injunction, filed June 22, 1876.

8. Interrogatories, filed December 9, 1876.

9. Cross-interrogatories, filed December 29, 1876.

10. Affidavits, filed April 5, 1877, to accompany report of that date.

11. Notice of filing Master's report, filed April 5, 1877.

12. Schedules and Exhibits, filed April 6, 1876, accompanying Master's report.

13. Proofs of claim filed by Moran Brothers.

14. Proofs of claim filed by Moran Brothers, Agents.

15. Proofs of claim filed by Charles Moran.

16. Proofs of claim filed by Charles Moran, Agent.

17. Proofs of claim filed by A. D. Moran & L. C. Moran.

18. Proofs of claim filed by Alexander Duncan.

19. Proofs of claim filed by Louis Bellonis Jr., or Louis Bellonis Jr.

20. Proofs of claim filed by Hayes,

Pierson and Kupus.

21. Order of all the claims presented to Special Master.

22. Notice of filing report of Special Master, April 5, 1877.

23. Notice of filing report, filed May 3rd 1877.

24. Order entered on rule book May 7, 1877, setting case down for decree.

25. Notice and proof before Master, four papers, filed May 24, 1877.

26. Report of H. B. Duncan and A. F. Elliott, Trustee and Receiver &c. of their accounts for the quarter ending January 1, 1877, and schedules accompanying report.

27. Report of H. B. Duncan and A. F. Elliott, Trustee and Receiver &c. of their accounts for the quarter ending April 1, 1877, and schedules accompanying report.

28. Affidavit of H. E. Kimball, filed in Ketchum suit, April 6, 1876.

29. Notice of motion in Ketchum suit for appointment of receiver, with affidavits, exhibits and service of same, filed April 7, 1876.

30. The following affidavits filed in Kelchum suit in April, 1876, viz; affidavits of Charles Walsh, Theodore Sherman, H. E. Willoughby, and other affidavits and papers filed on behalf of Runnan & Elliott.

31. The following papers filed April 7, 1876, viz; transcript of proceedings against Morris Kelchum et al; consent of Wilson & Irelin, to present trustee, and affidavits as to Kelchum's responsibility; letters of Charles Walsh, Alexander Jackson, and George H. Young.

32. Order entered April 8, 1876, overruling motion to remove trustee.

33. Appearance and notices of motion filed in Kelchum suit May 4 and 5, 1876.

34. Amendments filed to original bill in Kelchum suit, May 10, 1876, with petition and order.

35. Affidavit of Marshal filed May 12, 1876, in Kelchum suit.

36. Answer of C. K. R. R. Co. to motion filed May 17, 1876, in Kelchum suit.

37. Three motions filed June 5, 1876.

in Ketchum suit.

38. Order of Court and copy of original bill, filed in Ketchum suit, January 24, 1877.

39. Petition of Rogers Locomotive and Machine Works, filed in Ketchum suit, February 7, 1877, and order thereon, and other petitions, orders, exhibits and motions filed the same day.

40. Petitions orders and notice filed in Ketchum suit, February 17, 1877.

41. Petition and order filed in Ketchum suit, February 20, 1877.

42. Exceptions to answer of A. J. Elliott, filed in Ketchum suit, February 23, 1877.

43. Claims of Elliott & Barbour, filed in Ketchum suit, March 26, 1877.

44. Claim of N. B. Duncan, filed in Ketchum suit, May 8, 1877.

45. Claim of M. & C. R. R. Co. filed same day.

46. Notices of Motion filed in Ketchum suit, May 26, 1877.

47. Claims of Dunn & Dickson—

filed in Ketchum suit, May 29, 1877.

48. Affidavit of H. N. Hays and others, filed in Ketchum suit, June 5, 1877, with agreement of bondholders.

49. Exhibits A and F, to bill of complaint in Zeigler suit, filed April 2, 1877.

50. Petition for Commission, filed April 23, 1877, together with order thereon, and commission, and return thereto, and depositions of Charles Moran, Amelia A. Moran and L. Conyngham Moran in Zeigler suit.

51. Notice of motion filed in Zeigler suit, May 25, 1877." are omitted from the record on appeal in this cause.

By reason of which omissions and errors aforesaid, the said counsel now here moved the Court to award a writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the Southern District of Alabama commanding them that searching the records and proceedings of said Court in this cause, they shall certify to this Court, under the seal of the said Circuit Court,

whatever omissions and errors shall be found to the extent above enumerated. On consideration whereof, It is now here ordered by this Court that a Writ of Certiorari be, and the same is hereby, awarded, to be issued forthwith, and to be directed to the judges of the Circuit Court of the United States for the Southern District of Alabama, commanding them that searching the records and proceedings aforesaid, they forthwith certify to this Court, under the seal of the said Circuit Court, whatever omissions or errors shall be found in this cause to the extent above enumerated, and return the same with the said Writ of Certiorari forthwith to this Court.

Per Mr. Chief Justice Marshall.

1031.	The United States v. John T. Morrison.	Appellant	On the stipulation of Counsel leave is hereby granted the Clerk to issue the Mandate in this cause.

Proclamation being made the Court is adjourned until Monday the 25th of March next, at twelve o'clock.

Monday March 25th 1878

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan

} Associate Justices

John G. Nicolay, Esquire Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Matt H Carpenter it is ordered that F. H. Fountelotte Esquire of Chicago, State of Illinois, be admitted to practice as an attorney and Counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Asst Attorney General Smith it is ordered that Walter Van Ry Le Esquire of San Francisco, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Mr R. T. Merrick it is ordered that C. C. Wood, Esquire, of Washington City, District of Columbia and Richard P. Marvin junior, of Akron, Summit Co. State of Ohio, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly

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The Connecticut General Life Insurance Company, Appellant	Appeal from the Supreme Court of the District of Columbia.
210 vs.	
Bernard Burnstine	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and

was argued by counsel on consideration whereof, it is now here ordered, adjudged and decreed by this Court that the decree of the said Supreme Court in this cause be, and the same is hereby, affirmed with costs.

per Mr. Justice Hunt.

The Rubber Coated Harness Trimming Company, Andrew Albright, and Luther C. Voorhees -

vs. Appellants

William M. Welling.

Appeal from the Circuit Court of the United States for the District of New Jersey.

221

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of New Jersey, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court

with directions to enter a decree dismissing the bill of complaint with costs.

Per Mr. Justice Hunt.

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223. Jasper K. Herbert et al. vs. Alfin Error
Benjamin F. Butler

In Error to the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Bradley.

391	Andrew McMicken vs. The United States	Appeal from the District Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the District Court of the United States for the District of Louisiana and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause, be, and the same is hereby, affirmed.

per Mr. Justice Bradley.

668	The United States vs. The Heirs of John Watkins. And Melanie Bringier, widow of Wm Simpson.	Appeals from the District Court of the United States for the District of Louisiana.
1016	vs. The United States	

This cause came on to be heard on the transcript of the record from the District Court

of the United States for the District of Louisiana on appeal and cross appeal, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said District Court in this cause be, and the same is hereby, affirmed.

Per Mr. Justice Bradley

The Mutual Life Insurance Company of New York.

Appeal from the Circuit Court of the United States for the District of Maryland.

23. v. Appellant

J. Morrison Harris, Assignee or trustee of William H. Brune.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be and

the same is hereby, affirmed with costs.

Per Mr. Justice Strong

The Mutual Life Insurance Company of New York

vs. In Error

J. Morrison Harris, substituted as Assignee in place of Horatio L. Whitridge, deceased, Assignee of William H. Brune.

To the Circuit Court of the United States for the District of Maryland.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Maryland, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

122. Lawrence L. Conrad vs. Riffin Error
Rufus Kaplan, The Hibernia National Bank, John Kellett, Lewis Sinker, Fabius K. Leonard, James Cox, & Mrs. F. H. Thompson.

In Error to the Circuit Court of the United States for the District of Louisiana

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with direction to award a new trial.

per Mr. Justice Field

Dissenting:
Mr. Justice Clifford

Edward N. Breaux &	In Error to the
209 vs. Appln Error &	Supreme Court
Charles A. Conrad and	of the State of
L. L. Conrad.	Louisiana.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby, affirmed with costs.

Per Mr. Justice Field.

Dissenting:
Mr. Justice Clifford.

Charles B. Williams &	In Error to the
James K. Arnot, Partners	Supreme Court
as Williams & Arnot.	of Appeals of the
96 vs. Appln in Error	State of Virginia.
Jason A. Bruffy, Admr	
of Geo. Bruffy, dec'd.	

This cause came on to be heard on the

transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court of Appeals for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Field

William Godfrey, Receiver of The Merchants Bank of South Carolina at Charleston et al.
vs. Appellants
168 Harvey Ferry

Appeal from the Circuit Court of the United States for the District of South Carolina.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the

District of South Carolina, and was argued by counsel On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to dismiss the bill.

per Mr. Justice Miller.

Fayson D. Atherton et al, Executors of Thomas S. Page, deceased.
165. vs. Pltffs in Error
John Fowler et al.

In Error to the Supreme Court of the State of California.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby, reversed with costs; And

that this cause be, and the same is hereby, remanded to the said Supreme Court with directions to award a new trial, and for further proceedings in conformity with the opinion of this Court.

Per Mr. Justice Miller

Dissenting:
Mr. Chief Justice Waite
Mr. Justice Clifford

Nixon D. Atherton et al Executors of Thomas S. Page, deceased.	In Error to the Supreme Court of the State of California.
166- vs Affirm Error.	
Welcome Fowler et al	

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of California, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same

is hereby, remanded to the said Supreme Court with directions to award a new trial and for further proceedings in conformity with the opinion of this Court.

per Mr. Justice Miller

Dissenting:
Mr. Chief Justice Waite
Mr. Justice Clifford

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214 Isabella Clark vs. John S. Beecher, Assignee in bankruptcy of Abraham B. Clark. — Appellant — Appeal from the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that so much of the decree of the said Circuit Court, in this cause, as directs that the complainant recover from Isabella Clark the sum of $14,678 &c.,

with interest thereon to be and the same is hereby reversed. In all other respects the decree is affirmed. Costs in this Court to be paid by the appellee.

And it is further ordered that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Justice Swayne.

The United States Trust Company of New York as Executor &c. under the last will & testament of Mary Ann Eastman, deceased. Appellant

vs.

John Sedgwick as Special Receiver &c. Appellee

Appeal from the Circuit Court of the United States for the Southern District of New York.

217

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof

It is now here ordered, adjudged, and decreed by this Court, that so much of the decree of the said Circuit Court in this cause as directs that the complainant do recover of the defendant, The United States Trust Company of New York as Executor & Trustee under the last will and testament of Mary Ann Sparkman, deceased, the sum of $58,301.58/100, to be levied and collected of the goods, chattels, and credits which were of the said Mary Ann Sparkman, deceased, be, and the same is hereby, reversed. In all other respects the decree is affirmed. Costs in this Court to be paid by the appellee.

And it is further ordered that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Swayne.

238.	Richard P. Morgan Jr. vs. The Chicago & Alton Railroad Company.	Appellant	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Swayne

205.	James S. Marsh, Elisha C. Marsh, Charles C. Marsh, and John A. Frier vs. William H. Seymour and Dayton S. Morgan.	Appellants	Appeal from the Circuit Court of the United States for the Eastern District of Pennsylvania.

This cause came on to be heard on the transcript of the record from the Cir-

cuit Court of the United States for the Eastern District of Pennsylvania, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Pennsylvania.

Per Mr. Justice Clifford

James S. Marsh, & C. Shorkley, Elisha Shorkley, & R. L. Kremer vs. William H. Seymour and Dayton S. Morgan	Appeal from the Circuit Court of the United States for the Western District of Pennsylvania.

236

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Pennsylvania, and was argued by counsel. On consideration

whereof. It is now here ordered, adjudged and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar decrees bear in the Courts of the State of Pennsylvania.

Per Mr. Justice Clifford.

The Pensacola Telegraph Company — Appellant
vs.
The Western Union Telegraph Company.

128. Appeal from the Circuit Court of the United States for the Northern District of Florida.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Florida, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree

of the said Circuit Court, in this cause be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite

Dissenting:
Mr. Justice Field
Mr. Justice Hunt.

The Richmond, Fredericksburg & Potomac Railroad Co.	vs.	In Error to the Supreme Court of Appeals of the State of Virginia
150.	Pl'ff in Error	
The City of Richmond.		

This cause came on to be heard on the transcript of the record from the Supreme Court of Appeals of the State of Virginia, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court of Appeals, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite

Dissenting:
Mr. Justice Strong.

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826. The Mayor & Cancilmen of Troy. vs. Evans, Gardner & Company, a firm composed of James K. Evans, Richard Gardner, William B. Miller, & W. R. Hutcheson.

In Error to the Circuit Court of the United States for the Middle District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States, for the Middle District of Alabama, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed for the want of jurisdiction.

Per Mr. Chief Justice Waite

Eunice L. B. Sawyer, Adm'x of Frederick P. Sawyer, deceased. vs. Appellant 239 Joseph Weaver	Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Chief Justice Waite

A. J. Gregory vs. Plff in Error. 227 W. A. Morris and C. E. Poleet.	In Error to the Supreme Court of the Territory of Wyoming.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Wyoming.

and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the Territory of Wyoming.

Per Mr. Chief Justice Waite

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505. The United States vs. Sebastian Kaufman, Appellant | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, reversed; and that this cause be, and the same is hereby, remanded to the said Court

of claimes for further proceedings to be had therein in conformity with the opinion of this Court.

Per Mr. Chief Justice Waite

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566 Leonidas C. Edwards vs. Plff in Error / Archibald Kearney

This cause was submitted to the consideration of the Court on the record and printed arguments by Mr. J. B. Batchelor and Mr. E. G. Haywood, of counsel for the plaintiff in error, and by Mr. C. N. Fougeé, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, March 26th, 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Hasley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. R. T. Merrick, it is ordered that Samuel M. Harrington, Esquire, of Wilmington, State of Delaware, and J. Aug. Johnson, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Edwards Pierrepont it is ordered that H. E. Davies Jr. of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly

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On motion first made to the Court in this behalf by Hon A. A. Sargent, it is ordered that A. B. Dibble, Esquire, of Grass Valley, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Warren C. Stone it is ordered that Benj. F. Manton Esquire, of New York City, be admitted to practice as an attorney and counsellor

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1161 Albert Wood v. The United States

Appellant

Mr. Assistant Attorney General Smith, of counsel for the appellee, having filed and read in open court the following Certificate, to wit:

"In the Court of Claims,

Albert Wood
v.
The United States } No. 5214.

I certify that on the 17th day of April A.D. 1876, the Court of Claims rendered a judgment in the cause aforesaid in favor of the United States in the sum of four thousand four hundred and nineteen dollars and thirty-nine cents ($4,419 39/100) that on the 25th day of May A.D. 1876, the claimant by his attorney, made application for the allowance of an appeal to the Supreme Court of the United States from the judgment aforesaid and it was thereupon ordered that the appeal be allowed as prayed for.

Test:

(Seal) John Randolph
Clerk U.S. Court of Claims."

and having stated that the appellant had allowed the failed to file the record of said cause in this Court or in any way to prosecute said appeal, now

Ives moved the Court in pursuance of the 6th rule, to have this appeal docketed and dismissed. On consideration whereof, it is now hereordered and adjudged by this Court that this appeal from the Court of Claims be, and the same is hereby, docketed and dismissed. And that this cause be, and the same is hereby, remanded to the said Court of Claims to be proceeded in accordingly to law and justice.

per Mr. Chief Justice Taney

Nancy C. Burt
1062 vs. Appeal &c
Wm L. Mason.

Mr. Francis Kernan, of counsel for the defendant in error, having filed and read in open court the following certificate, viz:

"United States of America } ss.
Northern District of New York }

I, Charles Mason, Clerk of the Circuit Court of the United States of America for the Northern District of New York, do hereby certify that in the case of William L. Mason vs. Nancy C. Burt, judgment was entered in favor

of the plaintiff in my office on the 15th day of August 1878, that a writ of error was issued, and allowed on the 30th day of September 1878, returnable in the United States Supreme Court on the second Monday in October 1878, by said defendant.

In testimony whereof I have hereunto set my hand and affixed the seal of the said Circuit Court at the City of Utica, this 11 day of March A.D. 1878.

(Seal)

Charles Mason
Clerk."

And having stated that the plaintiff in error had altogether failed to file the record of said cause in this Court or in any way to prosecute said writ of error, now therefore moved the Court, in pursuance of the 9th rule, to have the writ of error in this cause docketed and dismissed. On consideration whereof, it is now hereby ordered and adjudged by this Court that the writ of error in this cause to the Circuit Court of the United States for the Northern

District of New York be, and the same is hereby, docketed and dismissed with costs. And that this cause be, and the same is hereby remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite.

Nancy E. Burt
1062 vs. Kiff in Error
Wm L. Watson.

On motion of Mr. F. Kernan leave is hereby granted the Clerk to issue the Mandate in this cause.

Henry B. Ramsey
323. vs. Kiff in Error
Frank Holcott, John A. Campbell, Edgar P. Snow and Thomas Harland.

In Error to the Supreme Court of the Territory of Wyoming.

This cause came on to be heard on the transcript of the record from the Supreme Court of the Territory of Wyoming and on motion of Mr. J. M. Wilson, of counsel for the plaintiff in error, it is now hereby ordered and adjudged by this Court that the writ

of cost in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

1000.	Henry C. Hawkins vs. Jordan S. Hyde	Mr. George N. Williams, of counsel for the plaintiff in error, having stated that he was prepared to file the record and docket this cause, moved the Court to rescind and annul the order entered on the 23d day of November last docketing and dismissing this cause. On consideration whereof, it is now here ordered that the order of the 23d of November last be, and the same is hereby, rescinded and annulled, and that the plaintiff in error have leave to file his record and docket the cause anno proximo on the 11th day of October 1876, without cost.

6.	Ex parte: N. Orlando Jewison Petitioner	On motion of Mr. R. T. Corbin leave is hereby granted him to file petition and exhibits in

support of same for writs of Habeas Corpus
& Certiorari, in this cause.

Ex-parte: In the matter of H. Orlando Jackson. 6 copies Petitioner	Petition for Writs of Habeas Corpus & Certiorari

Upon the petition of H. Orlando Jackson
and the Exhibits thereto attached.

It is hereby ordered that cause be
shown before this Court at Washington
in the District of Columbia on the 22d day
of April, 1878, at 12 o'clock Noon of that
day, or as soon thereafter as counsel can
be heard, why a Writ of Habeas Corpus
and a Writ of Certiorari should not issue
pursuant to the prayer of the petition.

And it is further ordered that a
copy of this rule and of the petition and
exhibits be served upon the Attorney
General of the United States, the United States
Attorney for the Southern District of New
York, and the Marshal and the Clerk
of the Circuit Court for said District at
least ten days before the return day of

this rule

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870. Hosea Ball et al vs. Appellants
Justine Langles et al.

On motion of Mr. Chas H. Horner it is ordered that the Clerk of the Circuit Court of the United States for the District of Louisiana be, and he is hereby directed to send to this Court all the models and other instruments of evidence made use of by the parties to this suit or either of them in the Court below, on the trial of this case and not embraced in the record now on file, provided that all the legal costs of the Clerk below be first satisfied.

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879. Morris Ketchum et al. vs. Appellants
Wm. Butler Duncan et al.

On motion of Mr. N. P. Morse et al., ordered that the motion to dismiss this cause as to Henry Jumpt be, and the same is hereby, postponed until Monday next

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Tuesday, March 16th, 1915. Continued.

John Hitz, Brainard H. Warner, Fred'k J. Edwards & Wigmore & George Mathing Liq.	
1611 vs.	Appellants
The National Life Insurance Co. of the U.S. C. A. Collins, Wm. C. Chandler & Frank H. Platt.	Appeals from the Supreme Court of the District of Columbia.
And	
The National Life Insurance Co. et al	
1007 vs.	Appellants
John Hitz, Brainard H. Warner et al.	

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, on appeal and cross appeal, and on the motion of Mr. H. H. Hackett stating that the matters in the controversy in this cause had been agreed and settled between the parties as per stipulation on file, it is now here ordered, adjudged, and decreed by this Court that these appeals be, and the same are hereby, dismissed. Costs to be paid by

appellants in No. 186 and appellees in No. 212.
(per Mr. Chief Justice Taney)

The Steamboat "City of Hartford" &c.
186. vs. Appellant
Charles Robinson.
and
Charles Robinson
212. vs. Appellant
The Hartford & New York Steamboat Co., &c.

The motion to reform the decree in this cause was argued by Mr. F. H. Hewitt in support of said motion.

H. C. O'Reilly, Assignee of Wm. H. Elmington &c. & C. C. Slade, Bankrupts.
833 vs. Appellant
Charles S. Jeffords

Appeal from the Circuit Court of the United States for the Southern District of Mississippi.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Mississippi, and on the motion of Mr. Alexander Porter Morse, of counsel for the appellant, it is now here ordered

adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

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517 | Chester A. Arthur, Coll'r &c. vs. George A. Morrison et al. | Plff in Error | This cause was argued by Mr. Assistant Attorney General Smith, of counsel for the plaintiff in error, and by Mr. Edward Hartley for the defendants in error.

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518 | Chester A. Arthur, Coll'r &c. vs. Isaiah A. Lahey et al. | Plff in Error | The argument of this cause was commenced by Mr. Ass't Attorney General Smith, of counsel for the plaintiff in error, and continued by Mr. Wm. Hanley, for the defendants in error.

Proclamation being made the Court is adjourned until to morrow at twelve o'clock.

Wednesday, March 27th, 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal.
Daniel Kesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. B. H. Hill it is ordered that William F. Newman, Esquire, of Atlanta, State of Georgia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. F. H. Haskell it is ordered that Edwin G. Booth, Esquire, of Philadelphia, State of Pennsylvania, and of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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915. E. Sarah Goldsmith and John Niminger vs. Appellants Herman Freud and Mary Freud.

Appeal from the Circuit Court of the United States for the District of Minnesota.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Minnesota, and on the stipulation of counsel on file and motion of Mr. Edward Hartley in behalf of counsel, It is now here ordered, adjudged and decreed by this Court that this appeal be and the same is hereby, dismissed, Clerk's costs to be paid by appellants.

per Mr. Chief Justice Waite

518. Chester A. Arthur, Collector &c. vs. Plff in Error — Josiah A. Lahey et al.

The argument of this cause was continued by Mr. Edwards Pierrepont, of counsel for the defendants in error, and concluded by Mr. Assistant Attorney General Smith, of counsel for the plaintiff in error.

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603. Chester A. Arthur, Collector of the Port of New York vs. Plff in Error — Chas. B. Fowler & Edward Strobel

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Ass't Attorney General Smith, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

606	Chester A. Arthur, Coll'r &c. vs. Kiff in Error E. Unkart et al.	This cause was argued by Mr. Ass't Attorney Gen'l Smith, of counsel for the plaintiff in error, and by Mr. Stephen G. Clarke, of counsel for the defendant in error.

515	Chester A. Arthur, Coll'r &c. vs. Kiff in Error John Zimmerman.	This cause was argued by Mr. Ass't Attorney General Smith, of counsel for the plaintiff in error, and by Mr. H. E. Davies Jr., of counsel for the defendant in error.

607	Chester A. Arthur, Coll'r &c. vs. Kiff in Error A. Stephani et al.	This cause was argued by Mr. Assistant Attorney General Smith, of counsel for the plaintiff in error, and by Mr. Edward Hartley, for the defendants in error.

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516. Chester A. Arthur, Collector &c. Plff in Error
vs.
L. Swasfield et al

This cause was argued by Mr. Ast't Attorney General Smith, of counsel for the plaintiff in error, and by Mr. Edward Hartley, of counsel for the defendants in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, March 28th, 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

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173 Wm. M. King et al vs. Plff in Error / Ario Pardee et al.

On motion of Mr. Fillmore Beall leave is hereby granted the Clerk to issue the Mandate in this cause.

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304 Thos. Murphy, Coll'r &c. vs. Plff in Error / J. B. Arnson et al.

This cause was argued by Mr. Ass't Attorney Genl Smith

of counsel for the plaintiff in error, and by Mr. Wm. Stanley and Mr. Stephen G. Clarke, of counsel for the defendants in error.

J. M. & R. K. Davies vs. Iliff in Error Chester A. Arthur, Coll'r &c.	This cause was argued by Mr. Edward Hartley, of counsel for the

H92.

plaintiffs in error, and by Mr. Solicitor General Phillips for the defendant in error.

Chester A. Arthur, Coll'r &c. vs. Iliff in Error J. M. & R. K. Davies	This cause was submitted to the consideration of the Court

604.

on the record and printed arguments by Mr. Solicitor General Phillips, of counsel for the plaintiff in error, and by Mr Edward Hartley for the defendants in error.

Chester A. Arthur, Coll'r &c. vs. Iliff in Error Benjamin Homer, Jr.	This cause was argued by Mr. Solicitor General Phillips, of

608.

counsel for the plaintiff in error, and by Mr. Edward Hurley, for the defendant in error.

5119 Wm. Duden et al vs. Pliffs in Error / C. A. Arthur, Coll'r &c.

The argument of this cause was commenced by Mr. Stephen G. Clarke, of counsel for the plaintiffs in error, continued by Mr. Solicitor General Phillips, of counsel for the defendant in error, and concluded by Mr. Edwards Pierrepont, for the plaintiffs in error.

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606 C. A. Arthur, Coll'r &c. vs. Plff in Error / Henry Herman et al.

This cause was argued by Mr. Solicitor General Phillips, of counsel for the plaintiff in error, and by Mr. Stephen G. Clarke, for the defendants in error.

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602. C. A. Arthur, Coll'r &c. vs. Leon Rheims — In Error

This cause was argued by Mr. Stephen B. Clarke, of counsel for the defendant in error, and submitted on printed argument by Mr. Ass't Att'y Gen'l Smith, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock M.

Friday, March 29th, 1878

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. Assistant Attorney General Smith, it is ordered that J. Warren Greene, Esquire, of New York City, and Thomas Burke, Esquire, of New York City, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. J. Britton and it is ordered that Wm. H. Young, Esquire, of Buffalo State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. H. D. Davidge it is ordered that A. T. Brewer, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Samuel Stringfellow et al
vs. Appellants
456 Joseph M. Cain et al

And

Samuel Stringfellow et al.
vs. Plffs in Error
457 Joseph M. Cain et al.

Mr. R. N. Bartin suggested the death of Brigham Young, one of the appellants and plaintiffs in error in these cases and moved the Court for an order under the 15th rule to make the proper representatives parties.

Whereupon, it is now here ordered by this Court that unless the proper representatives of the said Brigham Young, deceased as aforesaid, shall voluntarily become parties within the first ten days of the ensuing term of this Court the appellees and defendants in error shall be entitled to have this appeal and writ of error dismissed. Provided, that a copy of this order shall be printed in the National Republican newspaper at the seat of Government for three successive weeks at least sixty days before the beginning of the term of the Supreme Court next ensuing.

per Mr. Chief Justice Waite

455.	George Reynolds vs. Pl'ff in Error The United States,	Ordered by the Court that this cause be assigned for argument on the first Tuesday of the next term.

Jno. H. & C. N. Kohlsaat, Executors &c.
832. vs. Plff in Error.
Thos. Murphy, late Coll'r &c.

Ordered by the Court that this cause be passed, subject to provisions of section 7, rule 26.

Chester A. Arthur, Coll'r &c.
514. vs. Plff in Error
J. H. & F. N. Coddard.

This cause was argued by Mr. Asst Atty Gen'l Smith, of counsel for the plaintiff in error, and by Mr. H. G. Choate, for the defendants in error.

The United States
601. vs. Plff in Error
Fausto Mora.

Ordered by the Court that this cause be, and the same is hereby, passed subject to provisions of section 7, rule 26.

The United States
418. vs. Plaintiff
Stephen J. Simmons

On motion of Mr. Solicitor General Phillips it is ordered that this cause be assigned for argument on the 8th of April next.

Friday, March 29th, 1878, Continued-

Jenny A. Huntington, Admx &c.
241 vs. Appellant
The National Savings Bank of the District of Columbia.

The argument of this cause was commenced by Mr. Jos. H. Bradley, of counsel for the appellant, continued by Mr. W. S. Cox, of counsel for the appellee, and concluded by Mr. B. F. Butler, for the appellant.

Ennexox F. Orris
288 vs. Appellant
Nathan Powell

On motion of Mr. B. F. Butler it is ordered that this cause be not called before the 24th of April.

Samuel A. Peugh
243 vs. Appellant
Henry S. Davis

The argument of this cause was commenced by Mr. J. J. Crittenden of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock

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Monday April 1st 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice,

Nathan Clifford,
Noah H. Swayne
Samuel F. Miller
Stephen J. Field,
William Strong
Joseph P. Bradley
John M. Harlan
} Associate Justices,

John G. Nicolay Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. W. H. Wilshire, it is ordered that Francis A. Riddle, Esquire, of Chicago, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. A. Sargent, it is ordered that Theodore Wagner, Esquire, of Visalia, State of California, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. T. Merrick it is ordered that Benjamin Davenport, Esquire, of Washington City, District of Columbia, and Melvin L. Gray, Esquire, of St. Louis, State of Missouri, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Indianapolis & St. Louis Railroad Company. vs. James L. Vance, Collector of Edgar County, et al.	Appellant	Appeal from the Circuit Court of the United States for the Southern District of Illinois.

816

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District

of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan

Mr. Justice Field and Mr. Justice Hunt did not sit in this cause and took no part in the decision.

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897. The Indianapolis and St. Louis Railroad Co. Appellant vs. James L. Vance, Collector of Edgar County, et al. | Appeal from the Circuit Court of the United States for the Southern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said

Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Harlan

Mr. Justice Field and Mr. Justice Hunt did not sit in this cause and took no part in the decision.

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194 John D. McPherson, Appellant vs. Mary A. Cox | Appeal from the Supreme Court of the District of Columbia

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court, that the decree of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Miller

Dissenting:
Mr. Chief Justice Waite
Mr. Justice Hunt
" " Harlan.

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809. U. S. Hunnicutt et al vs. Peyton et al. | On consideration of the motion to dismiss this cause and of the argument of counsel thereupon had, as well in support of, as against the same, it is now here ordered by the Court that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Waite

1052. Fipton County vs. Norton, Slaughter & Co. | On consideration of the motion for a new supersedeas bond, or to affirm the judgment of the Circuit Court in this cause, it is now here ordered that said motions be, and the same are hereby, denied with costs.

720	Joseph N. Parish et al. vs. The United States	Appellants.

Ordered by the Court that the petition for a re hearing of this cause be, and the same is hereby, granted and the cause restored to its place upon the docket.

	The New Orleans Canal & Banking Company vs. A. B. Montgomery et al.	Appellant
91		

On motion of Mr. R. Phillips it is ordered that the petition to recall the Mandate and reform the decree in this cause be, and the same is hereby, withdrawn.

	The Steamboat "City of Hartford" &c. vs. Charles Robinson and Charles Robinson vs. The Steamboat "City of Hartford" &c.	Appellants
186		
212		Appellant

On motion of Mr. F. H. Hackett it is ordered that the motion to reform the decree in these cases be withdrawn and that leave be, and the same is hereby,

granted the Clerk to issue the Mandate in this cause.

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187. William M. Corry vs. Plff in Error Hugh Campbell

On motion of Mr. J. G. Carlisle leave is hereby granted the Clerk to issue the Mandate in this cause.

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185. The Steamboat "City of Hartford" &c vs. Appellant Hudson S. Rideout et al.

On motion of Mr. J. H. Ashton leave is hereby granted the Clerk to issue the Mandate in this cause.

1036. The Bank of the Old Dominion vs. Plff in Error James H. McVeigh et al

Mr. P. Phillips asked leave to withdraw the motion to dismiss this cause which was opposed by Mr. A. O. Caughton. Whereupon it is ordered that leave be granted to withdraw said motion at the cost of the defendants in error.

Alfred B. Mullett 1060 vs. Pl'ff in Error Frank Y. Fenwick	Mr. R. D. Mussey, of counsel for the plaintiff in error, suggested the death of Frank Y. Fenwick, the defendant in error in this cause.

The United States 715 vs. Pl'ff in Error H. B. Claflin et al. and The United States 716 vs. Pl'ff in Error H. B. Claflin et al.	Mr. Solicitor General Phillips filed and submitted to the consideration of the Court motion to advance these cases.

Morris Ketchum et al. 879 vs. Appellants Wm. Butler Duncan et al.	The motion to dismiss this cause as to Henry Jump was submitted to the consideration of the Court by Mr. R. T. Merrick in support of said motion and argued by Mr. Alex[r] Porter Morse in opposition to the same and in support of his motion to postpone to merits.

1053.	The United States vs. Appellant James Driscoll,	The motion to remand this cause to the Court of Claims for additional findings was

submitted to the consideration of the Court by Mr. J. J. Durant in support of said motion.

933.	Albert Bouldin et al vs. Appellants Jos. Alexander et al	The motion for a new supersedeas bond in this cause, was argued by

Mr. Thos. Wilson in support thereof and by Mr. J. Parker Jordan, in opposition thereto.

933.	Albert Bouldin et al vs. Appellants Jos. Alexander et al	Ordered that the motion of Mr. J. Parker Jordan for a mandamus

in this cause be, and the same is hereby, denied.

2113	Samuel A. Peugh vs. Henry S. Davis	Appellant	The argument of this cause was continued by Mr. H. D. Davidge, of counsel for the appellee, and concluded by Mr. R. T. Merrick, for the appellant.

781	John Young, trustee &c. vs. The United States	Appellant	On motion of Mr. A. W. MacFarland two hours additional time allowed each side in the argument of this cause.

781	John Young, trustee &c. vs. The United States	Appellant	The argument of this cause was commenced by Mr. J. A. Ashton, of counsel for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, April 2d, 1878.

Pursuant to adjournment the Court met today at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened &c.

On motion first made to the Court in this behalf by Hon. B. A. Willis it is ordered that John H. Bergen Esquire, of Flatbush, Long Island, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Tuesday, April 2d, 1878. Continued.

781 John Young, trustee &c. vs. The United States. Appellant

The argument of this cause was continued by Mr. J. H. Ashton, of counsel for the appellant and by Mr. Asst Atty Genl Smith, of counsel for the appellees.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, April 3d, 1878.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. Francis Kernan it is ordered that E. M. Paige, Esquire, of Schenectady, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Asst Atty Genl Smith it is ordered that James Turner, Esquire, of Marshall, State of Texas, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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781. Jno. Young, Trustee &c. vs. The United States — Appellant

The argument of this cause was continued by Mr. Attorney General Devens, of counsel for the appellee, and concluded by Mr. W. W. MacFarland, of counsel for the appellant.

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418. The United States vs. Stephen J. Simmons — Plaintiff

On motion of Mr. Solicitor General Phillips it is ordered that this cause be assigned for argument on Thursday the 11th instant.

Wednesday, April 3rd, 1878, Continued.

25.	Theodore Shillaber vs. John Robinson.	The re argument of this cause was commenced by Mr. M. H. Cardozo, of counsel for the appellant, continued by Mr. Jno. H. Bergen, of counsel for the appellee, and concluded by Mr. Cardozo, for the appellant.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Thursday, April 4th, 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan.

Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. C. A. Seward, it is ordered that William P. Chambers, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Hon. Wm. M. Evarts it is ordered that Allen W. Evarts, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

258. The Amazon Insurance Company vs. Affin in Error John Norris

In Error to the Circuit Court of the United States for the Southern District of Alabama.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of Alabama, an on the motion of Mr. A. S. Worthington, of counsel for the plaintiff in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

per Mr. Chief Justice Waite

260. Bernard L. Meister vs. Plff in Error
Robert C. Moore et al.

And

261. Bernard L. Meister vs. Plff in Error
F. S. Bissell et al.

Mr. J. W. Stone suggested the death of of Bernard L. Meister, the plaintiff in error in these cases, and moved the Court for leave to enter the appearance of Rebecca Meister, sole executrix and sole legatee of the said Bernard L. Meister, deceased as aforesaid, as the party plaintiff in error in these cases. Whereupon, it is now here ordered that Rebecca Meister, sole Executrix &c, of the said Bernard L. Meister, deceased, be, and she is hereby, entered as the party plaintiff in error in these cases with liberty to prosecute the writs of error.

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148. W. F. Drake vs. Plff in Error
The Exchange & Deposit Bank of Knoxville

This cause was argued by Mr. T. T. Crittenden, of counsel for the plaintiff in error, and by Mr. S. F. Phillips

for the defendant in error.

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953. The Maine Central R.R.Co. vs. Plff in Error
The State of Maine

This cause was argued by Mr. Josiah H. Drummond, of counsel for the plaintiff in error, and by Mr. L. A. Emery, for the defendant in error.

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203. The City of Elizabeth et al vs. Appellants
The American Nicolson Pavement Company.

On motion of Mr. C. F. Blake, ordered that a half hour additional time be allowed each side in the argument of this cause.

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203. The City of Elizabeth et al vs. Appellants
The American Nicolson Pavement Co.

The argument of this cause was commenced by Mr. Chas. H. Blake, of counsel for the appellants.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Friday, April 5th, 1878.

Pursuant to adjournment the Court met to day at the Capitol

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Charles F. Blake, it is ordered that Edward G. Thompson, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

John N. & C. N. Kohlsaat, Executors &c
vs. Riffs in Error
Thomas Murphy, late Collector &c.

On motion of Mr. Solicitor General Phillips it was ordered that this cause be taken up for hearing on Monday next.

The City of Elizabeth et al
203. vs. Appellants
The American Nicolson Pavement Company.

The argument of this cause was continued by Mr. Charles F. Blake, of counsel for the appellants, by Mr. C. A. Seward, for the appellee, and concluded by Mr. A. Q. Keasby, for the appellants.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 8th, 1878.

Pursuant to adjournment the Court met to day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice
Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

95 William C. Murray vs. Plff in Error
The City Council of Charleston

In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and

was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Strong,

Dissenting:
Mr Justice Miller
Hunt,

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235 Thomas C. Jenkins vs. The City Council of Charleston. | In Error to the Supreme Court of the State of South Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of South Carolina, and was argued by counsel. On consideration whereof, It is now hereordered and adjudged by this Court that the

judgment of the said Supreme Court in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr Justice Strong,

Dissenting:
Mr. Justice Miller
Hunt.

575	The United States v. The Atchison Topeka & Santa Fé Railroad Co.	Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims in this cause be, and the same is hereby, affirmed.

per Mr. Justice Field.

John M. Davies and Robert K. Davies, vs. Appts in Error Chester A. Arthur, Collector of the Port of New York.	In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Clifford,

H. F. Drake vs. Appts in Error The Exchange & Deposit Bank of Knoxville	In Error to the Circuit Court of the United States for the Eastern District of Tennessee.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern

District of Tennessee and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum as that similar judgments bear in the Courts of the State of Tennessee.

per Mr Chief Justice Taney

Albert Boulding et al
633 vs. Appellants
Jos. Alexander et al.

On consideration of the motion for a new supersedeas bond in this cause and of the argument of counsel thereupon had, as well in support of, as against the same, it is ordered that said motion be, and the same is hereby, denied.

per Mr. Chief Justice Taney

The United States 1053 vs. Appellant James Driscoll	On consideration of the motion to remand this cause to the Court of Claims for additional findings, and of the argument & counsel thereupon had in support of the same, it is ordered that said motion be, and the same is hereby, denied.

for Mr. Chief Justice Waite

The United States 715 vs. Pltff in Error H.B. Claflin et al And The United States 716 vs. Pltff in Error H.B. Claflin et al	On consideration of the motion of Mr. Solicitor General Phillips, it is ordered that these cases be advanced and assigned for argument on the 2d day of the next term.

No 127 | John H. Draper and Henry Draper, Executors of Simeon Draper, decd. vs. Plffs in Error. Mary E. Wright, Executrix of Isaac M. Wright, decd. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiffs in error, it is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite

No 128 | John H. Draper and Henry Draper, Executors of Simeon Draper, decd. vs. Plffs in Error. The Eagle Manufacturing Company. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips, of counsel for the plaintiffs in error, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

John A. Draper and Henry Draper, Executors of Simeon Draper, dec'd. Plffs in Error
vs.
James H. Young, Executor of Wm. H. Young, dec'd.

In Error to the Circuit Court of the United States for the Southern District of New York.

929

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and on the motion of Mr. Solicitor General Phillips of counsel for the plaintiffs in error, It is now here ordered and adjudged by this

Court that the writ of error in this cause be, and the same is hereby, dismissed with costs.

Per Mr. Chief Justice Waite.

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127 Griffith D. Neal vs. Plff in Error
Langhorne Scruggs et al, Executors &c.

On motion of Mr. S. Phillips leave is hereby granted the Clerk to issue the Mandate in this cause.

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575 The United States vs. Appellant
Wm. Johnson, Impeld & Santa Fe R.R. Co.

On motion of Mr. H.H. Talbot, leave is hereby granted the Clerk to issue the Mandate in this cause.

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110 William Roemer vs. Appellant
Edward Simon et al.

Mr. Fillmore of Seattle filed and submitted to the consideration of the Court motion and affidavits in support thereof to stay the issuing of the mandate in this cause until No. 554 of the present term shall have been disposed of.

Monday April 8th 1833 Continued

1775	Ellen B. Pondet v. Appellant J. de Lannay Admix	On motion of Mr. C. A. Rost it is ordered that Lavinia L. de Lannay and Corinne De Lannay, Administratrices of Ehrlarius De Lannay, deceased, be entered as the parties appellee in this cause.

832	John N. & C. V. Kohlsaat, Executors &c. vs. Thomas Murphy, late Coll'r &c.	This cause was argued by Mr. F. J. Pitkin, of counsel for the plaintiffs in error, and by Mr. Solicitor General Phillips, for the defendant in error.

The City of San Antonio
2444 vs. Error in
Thomas J. McHaffey.
Filed

The City of San Antonio
2445 vs. Error in
J. C. Barnes.

The argument of these cases was commenced by Mr. T. J. Durant, of counsel for the plaintiff in error, and continued by Mr. Robert Sewall, for the defendant in error in No. 2445.

Ellen B. Ponder
775 vs. Appellant
Lavinia L. DeLaunay,
and Corinne DeLaunay
Admrs of Gustavus
DeLaunay, deceased &c.

Mr. C. A. Peabody having filed and read in open court a suggestion of a diminution of the record in this cause, in that the following papers, to wit:

"Letter dated Atlanta, Ga. May, 1861, from E. B. Ponder to Benjamin May.

Consent to compromise dated Fernandina 11th December, 1870, and signed by E. B. Ponder.

Letter dated Fernandina, Fla., 9th

December, 1870, from E. B. Ponder to Col. May, and

Letter dated Atlanta Ga, 16th November, 1870, from A. K. Hammond & Son to Col. Ben. May," are omitted from the record on appeal in this cause—

By reason of which omissions and errors aforesaid the said counsel now here moved the Court to award a Writ of Certiorari to be directed to the Judges of the Circuit Court of the United States for the Southern District of Georgia, commanding them that searching the records and proceedings of said Court in this cause they shall certify to this Court under the seal of said Circuit Court whatever omissions and errors shall be found to the extent above enumerated— On consideration whereof, It is now here ordered by this Court that a writ of Certiorari be, and the same is hereby, awarded, to be issued forthwith and to be directed to the Judges of the Circuit Court of the United States for the Southern District of Georgia, commanding them

that searching the record and proceedings aforesaid they forthwith certify to this Court, under the seal of the said Circuit Court, whatever omissions and errors shall be found in this cause to the extent above enumerated and return the same with the said writ of certiorari forthwith to this Court.

per Mr. Chief Justice Waite

Proclamation being made the Court is adjourned until to morrow at twelve o'clock

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Tuesday, April 9th, 1878.

Pursuant to adjournment the Court met to-day at the Capitol—

Present

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices.

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Hon. A. G. Thurman it is ordered that William A. McKenney, Esquire of Washington City, District of Columbia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wm P. Tyson et al
176 vs. Appellants
Margaret Myers, Executrix

On motion of Mr. Wm. A. McKenney leave is hereby granted the Court to issue the Mandate in this cause.

The City of San Antonio
2114 vs. Plff in Error
Thomas J. McHaffey
And
The City of San Antonio
2115 vs. Plff in Error
J. C. Barnes

The argument of these cases was continued by Mr. T. A. Lambert, of counsel for the defendant in error in No. 2114, and concluded by Mr. T. J. Durant for the plaintiff in error in both cases.

Benjamin F. Fisher
2116 vs. Appellant
Jas. R. Smith et al

This cause was argued by Mr. D. C. Crittenden, of counsel for the appellant, and by Mr. F. C. Wood and Mr. Thos. Jefferson Miller, for the appellees.

Tuesday April 9th, 1878. Continued

248.	Albert S. Pullman vs. Plff in Error Clark S. Wilson Assignee &c.	This cause was argued by Mr. N. L. Monroe of counsel for the plff in error, and submitted on printed argument by Mr. L. A. Boutell, of counsel for the defendant in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, April 10th, 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present—

The Honorable Morrison R. Waite, Chief Justice—

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices.

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Asst Attorney General Smith it is ordered that Frank H. Hurd, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

Wednesday, April 10th, 1895, continued.

197	Christian N. Lilienthal vs. Error to The United States	On motion of Mr. Asst Atty General Smith it is ordered that leave be granted the Clerk to issue the Mandate in this cause.

250	James H. McLean vs. Cochran Fleming	Ordered that this cause be substituted for No. 251 per consent of counsel.

244	Edwin Hacker vs. Error to Hillard Johnson	This cause was argued by Mr. Francis Kernan of counsel for the defendant in error, and submitted on printed arguments by Mr. M. H. Fuller, of counsel for the plff in error.

250	Ellen J. Garfield et al. vs. Error to Sherman Paris et al	The argument of this cause was commenced by Mr. H. M. Duffield of counsel for the plaintiff in error. The Court declined to hear counsel for defendants in error.

250 James H. McLean vs. Appellant
Cochran Fleming.

This cause was argued by Mr. S. S. Boyd, of counsel for the appellant, and by Mr. L. Gray, for the appellee.

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252 Wm. G. Hyndman vs. Appellant.
T. H. & F. M. Poole,

Ordered that this cause be passed on account of sickness of counsel.

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253 The County of Warren vs. Piffin Error
Geo. C. Maney

254 The County of Warren vs. Piffin Error
Augustus T. Post.
And
255 The County of Warren vs. Piffin Error
The Portsmouth Savings Bank.

The argument of these causes was commenced by Mr. Geo. F. Harding, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday April 11th, 1878.

Pursuant to adjournment the Court met today at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Sanford B. Perry, it is ordered that Marcus H. Acheson, Joseph D. Morrison, and N. H. Reid, Esquires of Pittsburgh, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

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253 The County of Warren vs. Pfff in Error
George C. Mancy

254 The County of Warren vs. Pfff in Error
Augustus F. Cook.
And
255 The County of Warren vs. Pfff in Error
The Portsmouth Savings Bank.

The argument of these cases was continued by Mr. George F. Harding, of counsel for the plaintiff in error, by Mr. C. M. Osborn, for the defts in error in Nos. 253 & 254, by Mr. S. B. Perry, for the deft in error in No. 255, and by Mr. George F. Harding, for the pltff in error.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Friday, April 12th, 1873.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Kesley Middleton, Clerk

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that J. M. Clapp, Esquire, of Memphis, State of Tennessee, and Edward S. Isham, Esquire, of Chicago, State of Illinois be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Charles Case it is ordered that Wm. Kemble Hall, Esquire, of New York City, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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127 John H. Draper Jal. Exrs &c.
vs. Plffs in Error
Mary E. Wright, Executrix &c

128 John H. Draper and Exrs &c
vs. Plffs in Error
The Eagle Manufacturing Co.
and
129 Jno. H. Draper al Exrs &c
vs. Plffs in Error
Jas. H. Young, Executor &c.

On motion of Mr. J. H. Ashton, leave is hereby granted the Clerk to issue the Mandates in these cases.

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253. The County of Karnes vs. Plff in Error
George C. Maney

254. The County of Karnes vs. Plff in Error
Augustus F. Paul
and

255. The County of Karnes vs. Plff in Error
The Portsmouth Savings Bank.

The argument of these causes was concluded by Mr. George F. Harding, of counsel for the plaintiff in error.

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418. The United States vs. Plaintiff
Stephen J. Simmons

This cause was argued by Mr. Solicitor General Phillips, of counsel for the plaintiff, and by Mr. B. F. Tracy, for the defendant.

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256. Clifton H. Moore et al vs. Plffs in Error
Rufus H. Robbins

This cause was argued by Mr. F. Phillips, of counsel for the plaintiffs in error, and submitted on printed arguments by Mr. R. E. Williams, for the defendant

in error.

Hamilton N. Eldridge etal 251 vs. Affs in Error James Hill, Treasurer &c.	This cause was argued by Mr. Matt H. Carpenter, of counsel for the plaintiffs in error, and by Mr. E. H. Keightley, for the defendant in error.

Rebecca Meister, Executrix &c 260. vs. Affs in Error Robert C. Moore etal and Rebecca Meister, Executrix &c. 261 vs. Affs in Error F. S. Bissell etal.	The argument of these causes was commenced by Mr. A. W. Weir of counsel for the plaintiffs in error.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 15th, 1872.

Pursuant to adjournment the Court met to-day at the Capitol.

Present

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Honorable S. S. Cox, it is ordered that Merah A. Clarke, Esquire, of Somerville, State of New Jersey, and Joseph M. Dixon, Esquire, of Brooklyn, and Wilson S. Bissell, Esquire, of Buffalo, State of New York, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. A. C. Burchard it is ordered that William Luthrop, Esquire, of Rockford, State of Illinois, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Enoch Totten, it is ordered that J. C. Campbell, Esquire, of Davenport, State of Iowa, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

The County of Ray vs. Horatio C. Vanzyle	In Error to the Circuit Court of the United States for the Western District of Missouri.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Missouri, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court

in this cause, be, and the same is hereby, affirmed, with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Missouri.

Per Mr. Justice Harlan.

515. Chester A. Arthur, Collector of the Port of New York &c. vs. John Zimmerman. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr. Justice Hunt.

Chester A. Arthur, Collector of the Port of New York &c. vs. Jeriah H. Lakey and John J. H. Kubord. | In Error to the Circuit Court of the United States for the Southern District of New York &c.

515

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr. Justice Hunt

Chester A. Arthur, Collector of the Port of New York &c. vs. Edmund Unkart and Jacob H. Henschen. | In Error to the Circuit Court of the United States for the Southern District of New York.

609

Monday, April 6th, 85. Continued.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now hereordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a venire facia de novo.

per Mr. Justice Hunt

517 Chester A. Arthur, Collector of the Port of New York. vs. Geo. A. Morrison, Jno Herriman, & Jos. A. Alexander. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is

now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Hunt.

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607 Chester A. Arthur, Collector of the Port of New York. vs. Alphonse Stephani and N. G. Moerking. | In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Hunt

516 Chester A. Arthur, Collector of the Port of New York &c. vs. Iff in Error — Louis Sussfield, Sigmund Lorsch, and Herman Nordlinger.

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by Counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr. Justice Hunt.

304 Thomas Murphy, Collector of the Port of New York. Plff in Error vs. Bernhard Arnson and Elias Wilzinkie, as Arnson & Wilzinkie. In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr. Justice Hunt.

Nicholas N. Casey, Receiver of the New Orleans National Banking Association.

178. vs. Appellant

F. Schuchardt, Laurence Wells, & Edward L. Wells as F. Schuchardt & Sons, & C. Cavaroc & Son.

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree for the complainant below in conformity with the opinion of this Court.

Per Mr. Justice Bradley

Dissenting:
Mr. Justice Field
" " Swayne
" " Harlan.

Monday, April 15th, 1878, continued.

Nicholas M. Casey, Receiver of the New Orleans National Banking Association.

179 vs. Appellant

Mrs. Lydia Maria Schneider testamentary Extrix of Louis Schneider, decd, & Mrs. Rosalie Jonas, testamentary Extrix of Leo. Jonas, decd, and Elliot Freund

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs.

per Mr. Justice Bradley

Nicholas R. Camp, Receiver of the New Orleans National Banking Association.

180. vs. Appellant

The National Park Bank of New York & E. H. Kyper & Bro.

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree for the complainant below in conformity with the opinion of this Court.

per Mr. Justice Bradley

Dissenting:
Mr. Justice Field
" " Swayne
" " Harlan.

Nicholas N. Casey, Receiver of The New Orleans National Banking Association.

181 vs. Appellant

C. Cavaroc Sr. and C. Cavaroc Jr. and C. Cavaroc & Son, and The Société de Credit Mobilier of Paris, France.

Appeal from the Circuit Court of the United States for the District of Louisiana.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Louisiana, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to enter a decree in favor of the complainant below in conformity with the opinion of this Court.

per Mr. Justice Bradley.

Dissenting:
Mr. Justice Field
" " Swayne
" " Harlan

Fanny N. Huntington Admx,
and Frank H. Safaway Admit,
of H. S. Huntington, dec'd.
244 vs. Appellants,
The National Savings Bank
of the District of Columbia.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof, it is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby, affirmed with costs.

Per Mr. Justice Strong.

Samuel A. Pough
243 vs. Appellant
Henry S. Davis.

Appeal from the Supreme Court of the District of Columbia.

This cause came on to be heard on the transcript of the record from the Supreme Court of the District of Columbia, and was argued by counsel. On consideration whereof:

It is now here ordered, adjudged, and decreed by this Court that the decree of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Field.

	Theodore Shillaber	Ordered by the Court
25-	vs. Appellant	that the decree of af-
	John Robinson	firmance entered in
		this cause on the 10th

day of December, A.D. 1876, be, and the same is hereby, revoked.

	Theodore Shillaber	Appeal from the Cir-
25-	vs. Appellant	cuit Court of the United
	John Robinson	States for the Eastern
		District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court

of the United States for the Eastern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered, adjudged, and decreed by this Court that the decree of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court for further proceedings to be had therein in conformity with the opinion of this Court.

per Mr. Justice Miller

208. Dundass T. Pratt vs. John Pratt. | In Error to the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this

Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Miller.

Dissenting:
Mr. Justice Clifford.

	Leonidas C. Edwards	In Error to the Supreme
566.	vs. Pff in Error	Court of the State of
	Archibald Kearzy.	North Carolina.

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of North Carolina, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Supreme Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Supreme Court for further proceedings to be had therein

in conformity with the opinion of this Court.
per Mr. Justice Swayne

Dissenting:
Mr. Justice Harlan.

The United States
506 vs. Appellant
Walter Pugh

On consideration of the motion to remand this cause to the Court of Claims for additional findings, it is ordered that the further consideration of this motion be, and the same is hereby, postponed until the record and motion papers are printed.
per Mr. Chief Justice Waite

Fred. W. Heidekoper et al
940- vs. Appellants
The Hinckley Locomotive Works

Wm. R. Fosdick et al
1029- vs. Appellants
The Southwestern Car Co.

and

Wm. R. Fosdick et al
1030- vs. Appellants
Michael Schall &c.

These causes present the question, among others, of the power of Courts of equity in suits for the foreclosure of railroad mortgages to order

that current debts of the railroad company for labor, materials, supplies &c, be paid from the proceeds of the sale of the mortgaged property, or from the earnings in the hands of a receiver, in preference to the mortgage debt.

It having been suggested that counsel in other causes now pending in some of the Circuit Courts involving the same question desire to be heard here before a decision is reached, the further consideration of these suits is postponed until the next term and permission is given such counsel, if attorneys of this Court, to file printed briefs on or before the first day of September next. Not less than twenty-five copies of every brief so filed must be furnished the Clerk, and he is directed immediately upon their receipt to mail one copy to the address of each of the counsel in these suits.

Per Mr. Chief Justice Waite

Monday, April 13th, 1874, Continued.

505. The United States vs. Appellant / Sebastian Kaufman. | Ordered by the Court that the judgment of reversal entered in this cause on the 25th of March last, be, and the same is hereby, revoked.

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505. The United States vs. Appellant / Sebastian Kaufman | Appeal from the Court of Claims.

This cause came on to be heard on the transcript of the record from the Court of Claims, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Court of Claims, in this cause, be, and the same is hereby, affirmed.

Per Mr. Chief Justice Waite.

The Chief Justice announced that the Court will adjourn the present term on the 13th of May next.

The Indianapolis and St. Louis R.R. Co.
896 vs. Appellant
Jas. L. Vance, Coll'r &c.
and
The Indianapolis and St. Louis R.R. Co.
897 vs. Appellant
Jas. L. Vance, Coll'r &c.

Mr. William Lathrop filed and submitted to the consideration of the Court motion that the amount paid by appellees for printing the records in these cases be taxed as costs against the appellant.

Adelia Hill
867 vs. Aff'in Error
The Iowa Hill Canal Company.

The motion to dismiss this cause was submitted to the consideration of the Court on printed arguments by Mr. A. A. Sargent, in support of the same.

Chas. S. Williams et al.
96 vs. Aff's in Error
Jason N. S. Bruffy, Adm'r &c.

On motion of Mr. E. Totten leave is hereby granted the Clerk to issue the Mandate in this cause.

Ex-parte: In the matter of William Schollenberger & Wm. Schollenberger Sr. Petitioners

Original.

On motion of Mr. A. Sidney Biddle leave is hereby granted him to file petition for a writ of Mandamus in this cause.

Ex-parte: In the matter of William Schollenberger and Wm. Schollenberger Sr. Petitioners

Original.

Petition for a Writ of Mandamus.

On consideration of the petition of William Schollenberger and William Schollenberger Sr, It is hereby ordered that cause be shown by the Judges of the Circuit Court of the United States for the Eastern District of Pennsylvania before this Court at Washington, in the District of Columbia, on the 22d day of April, A.D. 1878, at 12 o'clock, noon, of that day, or as soon thereafter as counsel can be heard, why a Writ of Mandamus should not issue commanding them to hear and determine the suits referred to in the petition, and to

strike from the records of the said suits the orders therein entered quashing the service of the writs in the said causes.

Fred. S. Hinde Kopper et al. vs. The Hinckley Locomotive Works. — Appellants

940. Mr. H. Crawford filed and submitted to the consideration of the Court a motion to strike from the records and files of this Court the Writ of Certiorari and return thereto in this cause.

Wm. S. Lincoln et al vs. George B. Abrams — Appellants

465. Mr. S. R. Bond, of counsel for the defendant in error, filed and submitted to the consideration of the Court motion for a new writ of Error bond in this cause.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Tuesday, April 16th, 1878

Pursuant to adjournment the Court met to-day at the Capitol -

Present.

The Honorable Morrison R. Waite, Chief Justice -

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan

Associate Justices

John G. Nicolay, Esquire, Marshal -
Daniel Kelley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. Chas. M. Osborne, it is ordered that Charles H. Fairbanks, Esquire, of Indianapolis, State of Indiana, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court this day on behalf by Hon. J. D. Cox, it is ordered that Lowell L. Leggett, Esquire, of Cleveland, State of Ohio, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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668 The United States vs. Appellant
The Heirs of John Watkins
and
1016 Melanie Bingier vs. Appellant
The United States

On motion of Mr. Solicitor General Phillips, leave is hereby granted the Clerk to issue the Mandate in this cause.

1053 The United States vs. Appellant
James Driscoll.

On motion of Mr. Solicitor General Phillips, it is ordered that this cause be advanced and assigned for argument next after the causes assigned for the 22nd instant.

260

261

262

Rebecca A. Meister Executrix &c.
vs. } In Error
Robert C. Moore et al.
And
Rebecca A. Meister, Executrix &c.
vs. } In Error,
F. S. Bispell et al.

The argument of these causes was continued by Mr. H. H. Weir of counsel for the plaintiff in error, & by Mr. M. H. Acheson of counsel for the defendants in error, and concluded by Mr. Weir, for the plaintiff in error.

Michael Hurley
vs. } Appellant
E. H. Jones

Appeal from the Circuit Court of the United States for the District of Iowa.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Iowa, and the appellant having been three times severally called by the Marshal to come into Court and prosecute his appeal, and failing to appear, It is thereupon, on motion of Mr. H. F. Sapp, of counsel for the appellee, and in pursuance of the 16th

rule of this Court, ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs. And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

Per Mr. Chief Justice Waite.

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163. George N. Wheeler vs. Plaintiff in Error / The Union National Bank of Pittsburg

This cause was argued by Mr. Thomas M. Wheeler, of counsel for the plaintiff in error, and by Mr. J. M. Dixon, for the defendant in error.

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264. The Laflin & Rand Powder Company vs. Plaintiff in Error / G. F. Burkhardt

The argument of this cause was commenced by Mr. G. H. Heard, of counsel for the plaintiff in error.

Proclamation being made the Court is adjourned until to-morrow at twelve o'clock.

Wednesday, April 17th, 1878.

Pursuant to adjournment the Court met to-day at the Capitol -

Present -

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Benjamin Dean, Esquire, it is ordered that Elisha Barksdale, junior, of Halifax C. H., State of Virginia, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

George G. Sage, James H. Robertson, & Alonzo Hitchcock. vs. Andrew H. Hammond & A. A. Goodell.	Appeal from the Circuit Court of the United States for the District of Massachusetts.

783. Appellants.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the stipulation of counsel on file and motion of Mr. W. A. McKenney in behalf of counsel, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed - each party paying their own costs.

per Mr. Chief Justice Waite

The Laflin & Rand Powder Company vs. G. F. Burkhardt.	The argument of this cause was concluded by Mr. Geo. Sennott, of counsel for the defendant in error.

264. Plff in Error

Wednesday, April 17th, 1878, Continued.

265. H. H. & E. A. Green vs. Wm. A. Gordon et als. — Appellants

Ordered that this cause be, and the same is hereby, continued until the next term.

(per consent of counsel.)

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266. Edward A. Ashcroft vs. The Boston & Lowell R. R. Co. — Appellant

The argument of this cause was commenced by Mr. Francis Forbes, of counsel for the appellant, continued by Mr. Benj. Dean and Mr. J. G. Abbott, for the appellee, and by Mr. S. H. Clarke, for the appellant.

Proclamation being made the Court is adjourned until tomorrow at twelve o'clock.

Thursday April 18th 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Ward Hunt
John M. Harlan

} Associate Justices

John G. Nicolay, Esquire, Marshal
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened

On motion first made to the Court in this behalf by Mr. P. Phillips, it is ordered that Howard Ellis, Esquire, of New York City, and Thomas Ball, Esquire, of Jacksboro, Jack County, State of Texas, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

The Michigan Central R.R.Co. & The Joliet & Northern Indiana Railroad Company - 616. vs. Appellants Julius Wadsworth, Trustee &c	Appeal from the Circuit Court of the United States for the Northern District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and on the authorities, & counsel for the appellants on file and motion of Mr. Edward Jamn, It is now here ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed.

per Mr Chief Justice Waite

Edward H. Ashcroft 266. vs. Appellant The Boston & Lowell R.R.Co.	The argument of this cause was concluded by Mr. Thos. Wm. Clarke,

of counsel for the appellant.

267- The Lycoming Fire Insurance Company of Muncy, Pennsylvania. vs. Henry L. James. | In Error to the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the District of Massachusetts, and on the stipulation of counsel on file, It is now here ordered and adjudged by this Court that the writ of error in this cause be, and the same is hereby, dismissed - each party paying their own costs.

per Mr. Chief Justice Waite

268- Chandler Needham vs. Nathan Washburn, Salisbury Hyde, W. A. Barnum, & Frederick Miles. | Appeal from the Circuit Court of the United States for the District of Massachusetts.

This cause came on to be heard on the tran-

script of the record from the Circuit Court of the United States for the District of Massachusetts, and the appellant having been three times solemnly called by the Marshal to come into Court and prosecute his appeal, and failing to appear, it is thereupon, on motion of Mr. A. K. P. Jop, of counsel for the appellees, and in pursuance of the 16th rule of this Court, ordered, adjudged, and decreed by this Court that this appeal be, and the same is hereby, dismissed with costs - And that this cause be, and the same is hereby, remanded to the said Circuit Court to be proceeded in according to law and justice.

per Mr. Chief Justice Waite -

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269 - Otis Fuffs et al vs. Appellants / The Boston Machine Company

Ordered by the Court that this cause be, and the same is hereby, continued until the next term.

(Per stipulation of counsel.)

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252. Wm. G. Hyndman vs. P. H. & F. M. Roots. Appellant

This cause was argued by Mr. E. E. Wood, of counsel for the appellant, and by Mr. James Moore, for the appellees.

272. The Milligan & Higgins Glue Company vs. George Upton. Appellant

The argument of this cause was commenced by Mr. Edmund Wetmore, of counsel for the appellant.

Proclamation being made the Court is adjourned until Monday next at twelve o'clock.

Monday, April 22d, 1878.

Pursuant to adjournment the Court met to-day at the Capitol.

Present.

The Honorable Morrison R. Waite, Chief Justice.

Nathan Clifford
Noah H. Swayne
Samuel F. Miller
Stephen J. Field
William Strong
Joseph P. Bradley
Ward Hunt
John M. Harlan
} Associate Justices.

John G. Nicolay, Esquire, Marshal.
Daniel Wesley Middleton, Clerk.

Proclamation being made the Court is opened.

On motion first made to the Court in this behalf by Mr. E. F. Hodges it is ordered that Jonathan F. Barrett, Esquire, of Boston, State of Massachusetts, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. R. T. Merrick, it is ordered that William Burton Hapgood, Esquire, of New York City, and J. M. Walker, Esquire, of Chicago, State of Illinois, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. M. H. Carpenter it is ordered that D. G. Hooker, Esquire, of Milwaukee, and John T. Fish, Esquire, of Racine, State of Wisconsin, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. J. H. Ashton, it is ordered that Richard P. White and James H. Heverin, Esquires, of Philadelphia, State of Pennsylvania, be admitted to practice as attorneys and counsellors of this Court and they were sworn accordingly.

On motion first made to the Court in this behalf by Mr. Geo. A. Sillimne, it is ordered that H. H. Upton, Esquire, of Portland, State of Oregon, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

On motion first made to the Court in this behalf by Mr. Joseph Casey, it is ordered that Delavan F. Clark, Esquire, of Buffalo, State of New York, be admitted to practice as an attorney and counsellor of this Court and he was sworn accordingly.

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418 The United States vs. Plaintiff, Stephen J. Simmons. | On a certificate of division in opinion between the Judges of the Circuit Court of the United States for the Eastern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Eastern District of New York, and on the points

or questions on which the Judges of the said Circuit Court were opposed in opinion and which were certified to this Court for its opinion agreeably to the act of Congress in such case made and provided, and was argued by Counsel. On consideration whereof, It is the opinion of this Court that the second count of the indictment is insufficient to authorize a judgment thereon. That the fourth count is sufficient to authorize judgment to be pronounced thereon against the defendant.

Whereupon it is now here ordered and adjudged by this Court that it be so certified to the said Circuit Court.

per Mr. Justice Harlan.

Chester A. Arthur, Collector of the Port of New York.

vs. } In Error to the Circuit Court of the United States for the Southern District of New York.

608 Benjamin Homer, Francis S. Calladay, Thomas Homer, Geo. Simpson, Gustavus N. Sommer.

This cause came on to be heard on the

transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr. Justice Hunt.

Chester A. Arthur, Collector of the Port of New York, Plff in Error,
vs.
John M. Davies & Robt K. Davies.

In Error to the Circuit Court of the United States for the Southern District of New York.

601

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it

is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of New York.

Per Mr. justice Hunt-

Chester A. Arthur, Collector of the Port of New York.		In Error to the Circuit Court of the United States for the Southern District of New York.
514.	vs.	Appeal in Error-
Joseph N. Goddard and Frederick N. Goddard.		

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel- On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause be and the same is hereby, affirmed with costs and interest, until paid, at the same rate per

amount that similar judgments bear in the Courts of the State of New York.

per Mr. Justice Hunt

606

Chester A. Arthur, Collector of the Port of New York, Plff in Error,
vs.
Henry Norman, Charles Steinbach & John H. Entz

In Error to the Circuit Court of the United States for the Southern District of New York.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

per Mr. Justice Hunt.

	Chester A. Arthur, Collector of the Port of New York.	In Error to the Circuit Court of the United States for the Southern District of New York.
602.	vs. Pl'ffs in Error	
	Leon Rheims.	

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Southern District of New York, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, reversed with costs; And that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Hunt

	The Township of Rock Creek, in the County of Jefferson, State of Kansas.	In Error to the Circuit Court of the United States for the District of Kansas.
1024.	vs. Pl'ffs in Error	
	Henry Strong.	

This cause came on to be heard on the tran-

script of the record from the Circuit Court of the United States for the District of Kansas, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Kansas.

Per Mr. Justice Strong

Albert B. Pullman		In Error to the
248.	vs.	Circuit Court
Clark W. Upton, Assignee	In Error	of the United States
in Bankruptcy of The Great		for the Northern
Western Insurance Company.		District of Illinois.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Northern District of Illinois, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court,

in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Illinois.

Per Mr. Justice Strong

251 Hamilton N. Eldridge & Frederick N. Fouvielotte. vs. James Hill, Treasurer of the County of St. Joseph. | In Error to the Circuit Court of the United States for the Western District of Michigan.

This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Michigan, and was argued by counsel. On consideration whereof, It is now here ordered and adjudged by this Court that the judgment of the said Circuit Court in this cause, be, and the same is hereby, reversed with costs; and that this cause be, and the same is hereby, remanded to the said Circuit Court with directions to award a new trial.

Per Mr. Justice Miller.

The City of San Antonio vs. Thomas J. McHaffey.	In Error to the Circuit Court of the United States for the Western District of Texas.

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This cause came on to be heard on the transcript of the record from the Circuit Court of the United States for the Western District of Texas, and was argued by counsel. On consideration whereof, it is now here ordered and adjudged by this Court that the judgment of the said Circuit Court, in this cause, be, and the same is hereby, affirmed with costs and interest, until paid, at the same rate per annum that similar judgments bear in the Courts of the State of Texas.

Per Mr. Justice Swayne.